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1 2 3 4 5 6 7 8 9	ANDREW J. WAXLER, SBN 113682 WON M. PARK, SBN 194333 WAXLER • CARNER • BRODSKY LLP 1960 East Grand Avenue, Suite 1210 El Segundo, California 90245 Telephone: (310) 416-1300 Facsimile: (310) 416-1310 e-mail: awaxler@wcb-law.com e-mail: wpark@wcb-law.com Specially Appearing for Respondent BRETT L. GIBBS UNITED STATES CENTRAL DISTRIC	D	
11	INGENUITY 13 LLC,)	Case No. 2:12-CV-8333-ODW (JCx)
12	Plaintiff,	}	[Consolidated with Case Nos.: 2:12-cv-6636; 2:12-cv-6669; 2:12-cv-6662; 2:12-cv-6668]
13	VS.	}	[Assigned to Judge Otis D. Wright, II]
14	JOHN DOE,	\langle	BRETT L. GIBBS' [PROPOSED]
15	Defendant.)	ORDER RE OBJECTIONS TO THE DECLARATION OF MORGAN E.
16 17			PIETZ, SUPPLEMENTAL DECLARATION OF MORGAN E. PIETZ AND DECLARATIONS OF
18			BART HUFFMAN AND CAMILLE D. KERR AND EXHIBITS THERETO
19			[Filed Concurrently with Notice of
20			Lodging]
21			Date: March 11, 2013 Time: 1:30 p.m.
22			Dept.: 11
23			[Complaint Filed: September 27, 2012]
24			Trial date: None set
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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

Respondent Brett L. Gibbs submits the following proposed order re objections to the Declaration of Morgan E. Pietz, Supplemental Declaration of Morgan E. Pietz and Declarations of Bart Huffman and Camille D. Kerr and exhibits thereto submitted in response to the Court's February 7, 2013 Order to Show Cause.

UNTIMELINESS OBJECTIONS

Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
1. Supplemental Declaration	1. Untimely filed in	Sustained
of Morgan E. Pietz and all	violation of Court's	Overruled
exhibits thereto	February 7, 2013 Order	
2. Declaration of Bart	2. Untimely filed in	Sustained
Huffman and exhibit thereto	violation of Court's	Overruled
	February 7, 2013 Order	
3. Declaration of Camille D.	3. Untimely filed in	Sustained
Kerr and all exhibits thereto	violation of Court's	Overruled
	February 7, 2013 Order	

OBJECTIONS TO DECLARATION OF MORGAN E. PIETZ

Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
1. Declaration of Morgan	1. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
My clients in the Prenda cases,	and/or Personal	
including this case, each	Knowledge (FRE §602);	
received letters from their ISPs	Assumes Facts Not In	
informing them that Prenda	Evidence; Improper	

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	was attempting to subpoena	Characterization of	
4	their identity as part of a	Evidence.	
5	lawsuit.		
6	2. Declaration of Morgan	2. Irrelevant (FRE §§401,	Sustained
7	E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
8	Generally, my clients are the	and/or Personal	
9	people who happen to pay the	Knowledge (FRE §602);	
10	Internet bill for their	Argumentative; Assumes	
11	household, not necessarily the	Facts Not In Evidence;	
12	people who actually committed	Improper Characterization	
13	the alleged infringement or	of Evidence.	
14	other wrongful conduct.		
15	3. Declaration of Morgan	3. Irrelevant (FRE §§401,	Sustained
16	E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
17	However, Prenda constructs its	and/or Personal	
18	lawsuits so as to make it	Knowledge (FRE §602);	
19	unclear what exactly is the	Improper Opinion (FRE §	
20	status of my clients.	701); Speculation (FRE	
21		§602); Argumentative;	
22		Assumes Facts Not In	
23		Evidence; Improper	
24		Characterization of	
25		Evidence.	
26	4. Declaration of Morgan	4. Irrelevant (FRE §§401,	Sustained
27	E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
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Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
The complaint does not exactly	and/or Personal	
come out and say that the ISP	Knowledge (FRE §602);	
subscriber equals the John Doe	Improper Opinion (FRE §	
defendant.	701); Speculation (FRE	
	§602); Argumentative;	
	Assumes Facts Not In	
	Evidence; Improper	
	Characterization of	
	Evidence.	
5. Declaration of Morgan	5. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
However, the requests for early	and/or Personal	
discovery, seeking leave to	Knowledge (FRE §602);	
issue ISP subpoenas, generally	Improper Opinion (FRE	
tend to conflate ISP subscriber	§§701; Speculation (FRE	
with Doe defendant.	§602); Argumentative;	
	Assumes Facts Not In	
	Evidence; Improper	
	Characterization of	
	Evidence.	
6. Declaration of Morgan	6. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 2 -3 ¶ 5, as	402); Lacks Foundation	Overruled
follows: I am informed and	and/or Personal	
believe that Chicago law	Knowledge (FRE §602);	
partners John Steele (formerly	Hearsay (FRE §§801(c),	
Antenna makanasanasanasana and makanasana and makan	Language and the second	
	subscriber equals the John Doe defendant. 5. Declaration of Morgan E. Pietz, pg. 2 ¶ 4, as follows: However, the requests for early discovery, seeking leave to issue ISP subpoenas, generally tend to conflate ISP subscriber with Doe defendant. 6. Declaration of Morgan E. Pietz, pg. 2 -3 ¶ 5, as follows: I am informed and believe that Chicago law	come out and say that the ISP subscriber equals the John Doe defendant. Total Come out and say that the ISP subscriber equals the John Doe defendant.

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Material Objected to.	Grounds for Objection.	Objection:
3	a divorce attorney) and Paul	802); Speculation (FRE	
4	Hansemeier, of what was then	§602); Assumes Facts Not	
5	called Steele Hansemeier,	In Evidence; Improper	
6	PLLC, began filing copyright	Characterization of	
7	infringement cases on behalf of	Evidence.	
8	pornographers on or around		
9	September 2, 2010. See, Hard		
10	Drive Prod's., Inc. v. Does 1-		
11	100, N.D. Ill. No. 1:10-cv-		
12	0506, ECF No, 1, 9/2/10.		
13	7. Declaration of Morgan	7. Irrelevant (FRE §§401,	Sustained
14	E. Pietz, pg. 2 -3 ¶ 5, as	402); Lacks Foundation	Overruled
15	follows: Steele Hansemeier's	and/or Personal	
16	efforts in this regard started to	Knowledge (FRE §602);	
17	arouse public attention starting	Hearsay (FRE §§801(c),	
18	at least as early as November	802); Improper Opinion	
19	15, 2010, which is the date of a	(FRE §701); Speculation	
20	Chicago Tribune article talking	(FRE §602);	
21	about Mr. Steele's "fight	Argumentative; Assumes	
22	against porn piracy":	Facts Not In Evidence;	
23	http://articles.chicagotribune.co	Improper Characterization	
24	m/2010-l1-15/news/ct-met-	of Evidence.	
25	porn-attomey- 20101115_		
26	1_face-lawsuit-anti-piracy-		
27	campaign-copyright-violators		
28		<u>I</u>	

1	Material Objected to:	Grounds for Objection:	Ruling on
2		-	Objection:
3	8. Declaration of Morgan	8. Irrelevant (FRE §§401,	Sustained
4	E. Pietz, pg. 3 ¶ 6, as follows:	402); Lacks Foundation	Overruled
5	I am informed and believe that	and/or Personal	
6	since the early days of Steele	Knowledge (FRE §602);	
7	Hansemeier, in addition to Mr.	Hearsay (FRE §§801(c),	
8	Steele, both Paul Hansemeier,	802); Speculation (FRE	
9	an attorney, and Paul's brother	§602); Argumentative;	
10	Peter Hansemeier, who is	Assumes Facts Not In	
11	purportedly knowledgeable	Evidence; Improper	
12	about computers, have played	Characterization of	
13	an active role in the copyright	Evidence.	
14	litigation cases filed by this		
15	firm.		
16	9. Declaration of Morgan	9. Irrelevant (FRE §§401,	Sustained
17	E. Pietz, pg. 3 ¶ 6, as follows:	402); Lacks Foundation	Overruled
18	Typically, Peter Hansemeier	and/or Personal	
19	would sign declarations in	Knowledge (FRE §602);	
20	Steele Hansemeier (and later,	Hearsay (FRE §§801(c),	
21	Prenda Law, Inc.) copyright	802); Improper Opinion	
22	cases, averring that he had	(FRE §701); Speculation	
23	logged IP addresses that were	(FRE §602);	
24	allegedly used to download	Argumentative; Assumes	
25	pornography illegally using the	Facts Not In Evidence;	
26	BitTorrent file sharing	Improper Characterization	
27	protocol.	of Evidence.	
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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	10. Declaration of Morgan	10. Irrelevant (FRE §§401,	Sustained
4	E. Pietz, pg. 3 ¶ 7, as follows:	402); Lacks Foundation	Overruled
5	It did not take long for courts	and/or Personal	
6	to begin expressing skepticism	Knowledge (FRE §602);	
7	about Prenda's BitTorrent	Improper Opinion (FRE	
8	lawsuits.	§701); Speculation (FRE	
9		§602); Argumentative;	
10		Assumes Facts Not In	
11		Evidence; Improper	
12		Characterization of	
13		Evidence.	
14	11. Declaration of Morgan	11. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 3 ¶ 7, as follows:	§§401, 402); Lacks	Overruled
16	In early 2011, Judge Milton	Foundation and/or	
17	Shadur of the Northern District	Personal Knowledge (FRE	
18	of Illinois, who sits in Chicago,	§602); Hearsay (FRE	
19	where Steele Hansemeier was	§§801(c), 802); Improper	
20	originally based, dismissed one	Opinion (FRE §701);	
21	of the firm's early cases,	Speculation (FRE §602);	
22	wherein Mr. Steele had sought	Argumentative; Assumes	
23	to subpoena ISP subscriber	Facts Not In Evidence;	
24	information from all over the	Improper Characterization	
25	Country. See CP Productions,	of Evidence.	
26	Inc. v. Does 1-300, No. 10-cv-		
27	6255 (N.D. Ill. March 2, 2011)		
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1	Material Objected to:	Grounds for Objection:	Ruling on
2	Material Objected to.	diounds for Objection.	Objection:
3	(Chadus Can I) (minuta andas)		Objection.
	(Shadur, Sen. J.) (minute order)		
4	("This Court's February 24,		
5	2011 memorandum opinion		
6	and order has already sounded		
7	the death knell for this action,		
8	which has abused the		
9	litigation system in more than		
10	one way. But because the		
11	aggrieved Doe defendants		
12	continue to come out of the		
13	woodwork with motions to		
14	quash, indicating an		
15	unawareness of this Court's		
16	dismissal of this action,		
17	[counsel John Steele] is		
18	ordered to appear in court on		
19	March 9, 2011 at 9:00 a.m.		
20	Counsel will be expected to		
21	discuss what steps should be		
22	taken to apprise all of the		
23	targeted "Doe" defendants that		
24	they will not be subject to any		
25	further trouble or expense as a		
26	result of this ill-fated (as well		
27	as ill-considered) lawsuit.")		
28	£		

1	Matarial Objected to	Crounds for Objection	Duling on
	Material Objected to:	Grounds for Objection:	Ruling on
2	(1 ' 11 1) 7 7		Objection:
3	(emphasis added); see also Boy		
4	Racer, Inc. v. Does 1-22, No.		
5	11 C 2984, Slip Op. (N.D. Ill.		
6	May 9, 2011) (Shadur, Sen. J.)		
7	(noting that the Court "rejected		
8	attorney Steele's effort to shoot		
9	first and identify his targets		
10	later," and making clear that		
11	suits against a "passel of		
12	'Does'" would not get		
13	anywhere in that Court).		
14	12. Declaration of Morgan	12. Irrelevant (FRE §§401,	Sustained
15	E. Pietz, pg. 4 ¶ 8, as follows:	402); Lacks Foundation	Overruled
16	Undeterred, Steele Hansemeier	and/or Personal	
17	actually expanded.	Knowledge (FRE §602);	
18		Improper Opinion (FRE	
19		§701); Speculation (FRE	
20		§602); Argumentative;	
21		Assumes Facts Not In	
22		Evidence; Improper	
23		Characterization of	
24		Evidence.	
25	13. Declaration of Morgan	13. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 4 ¶ 8, as follows:	§§401, 402); Lacks	Overruled
27	I am informed and believe that	Foundation and/or	
28			

1	Matarial Objected to	Crounds for Objections	Duling on
į	Material Objected to:	Grounds for Objection:	Ruling on
2		D 11/ 11 /CDC	Objection:
3	starting in March, 2011, Steele	Personal Knowledge (FRE	
4	Hansemeier, through attorney	§602); Hearsay (FRE	
5	Brett L. Gibbs in California,	§§801(c), 802); Improper	
6	began filing cases outside of	Opinion (FRE §701);	
7	Illinois.	Speculation (FRE §602);	
8		Argumentative; Assumes	
9		Facts Not In Evidence;	
10		Improper Characterization	
11		of Evidence.	
12	14. Declaration of Morgan	14. Irrelevant (FRE	Sustained
13	E. Pietz, pg. 4 ¶ 8, as follows:	§§401, 402); Lacks	Overruled
14	Mr, Gibbs, under the banner of	Foundation and/or	
15	Steele Hansemeier, PLLC,	Personal Knowledge (FRE	
16	filed a slew of actions in the	§602); Hearsay (FRE	
17	Northern District of California	§§801(c), 802); Improper	
18	on behalf of various	Opinion (FRE §701);	
19	pornographers. See, e.g.,	Speculation (FRE §602);	
20	MCGIP, LLC v. Does 1-18,	Argumentative; Assumes	
21	N.D. Cal. Case No. 12-cv-	Facts Not In Evidence;	
22	1495, ECF No. 1, 3/28/11.	Improper Characterization	
23		of Evidence.	
24	15. Declaration of Morgan	15. Irrelevant (FRE	Sustained
25	E. Pietz, pg. 4 ¶ 8, as follows:	§§401, 402); Lacks	Overruled
26	Steele Hansemeier, through	Foundation and/or	
27	other attorneys, also began	Personal Knowledge (FRE	
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	filing actions in other states	§602); Hearsay (FRE	
4	around the country, including	§§801(c), 802); Improper	
5	the Southern District of	Opinion (FRE §701);	
6	Florida, among other places.	Speculation (FRE §602);	
7		Argumentative; Assumes	
8		Facts Not In Evidence;	
9		Improper Characterization	
10		of Evidence.	
11	16. Declaration of Morgan	16. Irrelevant (FRE §§401,	Sustained
12	E. Pietz, pg. 4 ¶ 9, as follows:	402); Lacks Foundation	Overruled
13	Since the early days of Steele	and/or Personal	
14	Hansemeier, the individuals	Knowledge (FRE §602);	
15	noted above have maintained	Speculation (FRE §602);	
16	the same website, located at	Assumes Facts Not In	
17	wefightpiracy.com.	Evidence; Improper	
18		Characterization of	
19		Evidence.	
20	17. Declaration of Morgan	17. Irrelevant (FRE	Sustained
21	E. Pietz, pg. 4 ¶ 9, as follows:	§§401, 402); Lacks	Overruled
22	Exhibit A - True and correct	Foundation and/or	
23	copies of several iterations of	Personal Knowledge (FRE	
24	the wefightpiracy.com website,	§602); Hearsay (FRE	
25	showing how it has changed	§§801(c), 802);	
26	over time, as downloaded by	Speculation (FRE §602);	
27	me from web.archive.org, as	Improper Characterization	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	well as a screenshot from the	of Evidence; Improper	
4	site as it appeared live on	Authentication of	
5	January 14, 2013, are attached	Document (FRE §901).	
6	hereto as Exhibit A .		
7	18. Declaration of Morgan	18. Irrelevant (FRE §§401,	Sustained
8	E. Pietz, pg. 4 ¶ 10, as follows:	402); Lacks Foundation	Overruled
9	I am informed and believe that	and/or Personal	
10	in November of 2011, Steele	Knowledge (FRE §602);	
11	Hansemeier, PLLC gave way	Hearsay (FRE §§801(c),	
12	to "Prenda Law, Inc.," an	802); Speculation (FRE	
13	entity organized under the laws	§602); Assumes Facts Not	
14	of the State of Illinois.	In Evidence; Improper	
15		Characterization of	
16		Evidence.	
17	19. Declaration of Morgan	19. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 4 ¶ 10, as follows:	§§401, 402); Lacks	Overruled
19	Curiously, "Prenda Law, Inc."	Foundation and/or	
20	appears to have been organized	Personal Knowledge (FRE	
21	as a regular corporation, not a	§602); Hearsay (FRE	
22	professional corporation.	§§801(c), 802);	
23		Speculation (FRE §602);	
24		Assumes Facts Not In	
25		Evidence; Improper	
26		Characterization of	
27		Evidence.	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	20. Declaration of Morgan	20. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 4 ¶ 10, as follows:	§§401, 402); Lacks	Overruled
5	Exhibit B - A true and correct	Foundation and/or	
6	copy of the entity detail for	Personal Knowledge (FRE	
7	Prenda Law, Inc. on the Illinois	§602); Hearsay (FRE	
8	Secretary of State website as of	§§801(c), 802);	
9	January 9, 2013 is attached	Speculation (FRE §602);	
10	hereto as Exhibit B .	Assumes Facts Not In	
11		Evidence; Improper	
12		Characterization of	
13		Evidence; Improper	
14		Authentication of	
15		Document (FRE §901).	
16	21. Declaration of Morgan	21. Irrelevant (FRE	Sustained
17	E. Pietz, pg. 4-5 ¶ 11, as	§§401, 402); Lacks	Overruled
18	follows: I am informed and	Foundation and/or	
19	believe that after the switch	Personal Knowledge (FRE	
20	from Steele Hansemeier, PLLC	§602); Hearsay (FRE	
21	to Prenda Law, Inc., the firm	§§801(c), 802); Improper	
22	continued to file cases on	Opinion (FRE §701);	
23	behalf of the same group of	Speculation (FRE §602);	
24	clients, most, if not all of	Argumentative; Assumes	
25	whom, produce pornography	Facts Not In Evidence;	
26	and/or hold some kind of	Improper Characterization	
27	copyright rights to	of Evidence; Improper	
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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	pornography.	authentication of	
4		document (FRE §901).	
5	22. Declaration of Morgan	22. Irrelevant (FRE	Sustained
6	E. Pietz, pg. 4-5 ¶ 11, as	§§401, 402); Lacks	Overruled
7	follows: These clients of	Foundation and/or	
8	Prenda included:	Personal Knowledge (FRE	
9	 AF Holdings, LLC; 	§602); Hearsay (FRE	
10	Arte de Oaxaca, LLC;	§§801(c), 802);	
11	Boy Racer, Inc.;	Speculation (FRE §602);	
12	Bubble Gum	Assumes Facts Not In	
13	Productions, LLC;	Evidence; Improper	
14	• CP Productions, Inc.;	Characterization of	
15	• First Time Videos,	Evidence.	
16	LLC;		
17	• Future Blue, Inc.;		
18	• Guava, LLC;		
19	Hard Drive		
20	Productions, Inc.;		
21	• Ingenuity 13, LLC;		
22	Lightspeed Media		
23	Corporation;		
24	• MCGIP, LLC;		
25	 Millenniuem TGA, 		
26	Inc.;		
27	Openmind Solutions,		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Inc.;		
4	 Pacific Century 		
5	International Ltd.;		
6	• Pink Lotus		
7	Entertainment LLC;		
8	• Sunlust Pictures, LLC;		
9	 VPR Internationale; 		
10	23. Declaration of Morgan	23. Irrelevant (FRE	Sustained
11	E. Pietz, pg. 4-5 ¶ 11, as	§§401, 402); Lacks	Overruled
12	follows: Between September	Foundation and/or	
13	2, 2010 and February 24, 2012,	Personal Knowledge (FRE	
14	Prenda filed over 118	§602); Hearsay (FRE	
15	copyright infringement actions	§§801(c), 802);	
16	in various federal courts	Speculation (FRE §602);	
17	around the country, against	Assumes Facts Not In	
18	more than 15,000 John Doe	Evidence; Improper	
19	Defendants, on behalf of some	Characterization of	
20	of the above entities.	Evidence.	
21	24. Declaration of Morgan	24. Irrelevant (FRE §§401,	Sustained
22	E. Pietz, pg. 5-6 ¶ 12, as	402); Lacks Foundation	Overruled
23	follows: I am informed and	and/or Personal	
24	believe that after the switch	Knowledge (FRE §602);	
25	from Steele Hansemeier, LLC	Hearsay (FRE §§801(c),	
26	to Prenda Law, Inc., attorney	802); Speculation (FRE	
27	Paul Duffy became the new	§602); Assumes Facts Not	
28			4

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	nominal head of Prenda Law.	In Evidence; Improper	
4		Characterization of	
5		Evidence.	
6	25. Declaration of Morgan	25. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 5-6 ¶ 12, as	§§401, 402); Lacks	Overruled
8	follows: John Steele and Brett	Foundation and/or	
9	Gibbs continued to file	Personal Knowledge (FRE	
10	pleadings and communicate	§602); Hearsay (FRE	
11	with opposing counsel on	§§801(c), 802);	
12	behalf of Prenda, but typically	Speculation (FRE §602);	
13	referred to themselves as "of	Assumes Facts Not In	
14	counsel."	Evidence; Improper	
15		Characterization of	
16		Evidence.	
17	26. Declaration of Morgan	26. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 5-6 ¶ 12, as	§§401, 402); Lacks	Overruled
19	follows: Prenda also filed	Foundation and/or	
20	many cases through "local	Personal Knowledge (FRE	
21	counsel" in various	§602); Hearsay (FRE	
22	jurisdictions, where Prenda	§§801(c), 802); Improper	
23	Law was not technically on the	Opinion (FRE §701);	
24	pleadings, but was actually	Speculation (FRE §602);	
25	steering the litigation. See,	Argumentative; Assumes	
26	e.g., Sunlust Pictures, Inc. v.	Facts Not In Evidence;	
27	Tuan Nguyen, M.D. Fl. Case	Improper Characterization	
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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	No. 8:12-CV-1685-T-35MAP.	of Evidence.	
4	27. Declaration of Morgan	27. Irrelevant (FRE	Sustained
5	E. Pietz, pg. 5-6 ¶ 12, as	§§401, 402); Lacks	Overruled
6	follows: Exhibit C - A true	Foundation and/or	
7	and correct copy of a complaint	Personal Knowledge (FRE	
8	filed by local counsel Matthew	§602); Hearsay (FRE	
9	Jenkins of Nebraska, filed for	§§801(c), 802);	
10	Prenda on behalf of Lightspeed	Speculation (FRE §602);	
11	Media Corporation is attached	Assumes Facts Not In	
12	hereto as Exhibit C.	Evidence; Improper	
13		Characterization of	
14		Evidence; Improper	
15		Authentication of	
16		Document (FRE §901).	
17	28. Declaration of Morgan	28. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 5-6 ¶ 12, as	§§401, 402); Lacks	Overruled
19	follows: This document shows	Foundation and/or	
20	how the email address used by	Personal Knowledge (FRE	
21	local counsel on the leadings	§602); Hearsay (FRE	
22	was Brett Gibbs' email	§§801(c), 802);	
23	address,	Speculation (FRE §602);	
24	blgibbs@wefightpiracy.com.	Argumentative; Assumes	
25		Facts Not In Evidence;	
26		Improper Characterization	
27		of Evidence.	
28	L		1

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	29. Declaration of Morgan	29. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 5-6 ¶ 12, as	§§401, 402); Lacks	Overruled
5	follows: I do not believe this is	Foundation and/or	
6	an isolated incident, of local	Personal Knowledge (FRE	
7	counsel from Prenda using Mr.	§602); Hearsay (FRE	
8	Gibbs' email address on	§§801(c), 802); Improper	
9	pleadings.	Opinion (FRE §701);	
10		Speculation (FRE §602);	
11		Argumentative; Assumes	
12		Facts Not In Evidence;	
13		Improper Characterization	
14		of Evidence.	
15	30. Declaration of Morgan	30. Irrelevant (FRE §§401,	Sustained
16	E. Pietz, pg. 6 ¶ 13, as follows:	402); Lacks Foundation	Overruled
17	I am informed and believe that	and/or Personal	
18	as of April 12, 2012, John	Knowledge (FRE §602);	
19	Steele was still identifying	Hearsay (FRE §§801(c),	
20	himself as "of counsel" to	802); Speculation (FRE	
21	Prenda Law, Inc.	§602); Argumentative;	
22		Assumes Facts Not In	
23		Evidence; Improper	
24		Characterization of	
25		Evidence.	
26	31. Declaration of Morgan	31. Irrelevant (FRE	Sustained
27	E. Pietz, pg. 6 ¶ 13, as follows:	§§401, 402); Lacks	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Exhibit D - Attached hereto as	Foundation and/or	
4	Exhibit D is a true and correct	Personal Knowledge (FRE	
5	copy of a pro hac vice	§602); Hearsay (FRE	
6	application Mr. Steele filed in	§§801(c), 802);	
7	an important mutli-Doe case	Speculation (FRE §602);	
8	pending in Washington, D.C.	Argumentative; Assumes	
9	AF Holdings, LLC v. Does 1-	Facts Not In Evidence;	
10	1058, D.D.C. No. 12-cv-0048-	Improper Characterization	
11	BAH, ECF No. 32, 4/20/12.	of Evidence; Improper	
12		Authentication of	
13		Document (FRE §901).	
14	32. Declaration of Morgan	32. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 6 ¶ 13, as follows:	§§401, 402); Lacks	Overruled
16	In the application, Mr. Steele	Foundation and/or	
17	recites that he is "of counsel	Personal Knowledge (FRE	
18	with the law firm of Prenda	§602); Hearsay (FRE	
19	Law, Inc."	§§801(c), 802);	
20		Speculation (FRE §602);	
21		Argumentative; Assumes	
22		Facts Not In Evidence;	
23		Improper Characterization	
24		of Evidence.	
25	33. Declaration of Morgan	33. Irrelevant (FRE §§401,	Sustained
26	E. Pietz, pg. 6 ¶ 14, as follows:	402); Lacks Foundation	Overruled
27	I am informed and believe that	and/or Personal	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Material Objected to.	Grounds for Objection.	Objection:
3	where courts have allowed	Knowledge (FRE §602);	
4	Prenda to utilize the subpoena	Hearsay (FRE §§801(c),	
5	power to obtain subscriber	802); Improper Opinion	
6	information from ISPs, over	(FRE §701); Speculation	
7	ISP and subscriber objections,	(FRE §602);	
8	the result has been a stream of	Argumentative; Assumes	
9	unrelenting, debt collector style	Facts Not In Evidence;	
10	harassment, all designed to	Improper Characterization	
11	pressure these ISP subscribers	of Evidence.	
12	to quickly settle their cases.		
13	34. Declaration of Morgan	34. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 6 ¶ 14, as follows:	§§401, 402); Lacks	Overruled
15	Prenda sends out misleading	Foundation and/or	
16	demand letters.	Personal Knowledge (FRE	
17		§602); Hearsay (FRE	
18		§§801(c), 802); Improper	
19		Opinion (FRE §701);	
20		Speculation (FRE §602);	
21		Argumentative; Assumes	
22		Facts Not In Evidence;	
23		Improper Characterization	
24		of Evidence.	
25	35. Declaration of Morgan	35. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 6 ¶ 14, as follows:	§§401, 402); Lacks	Overruled
27	Exhibit E - A true and correct	Foundation and/or	
28	L		1

Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
copy of such a letter is attached	Personal Knowledge (FRE	
hereto as Exhibit E .	§602); Hearsay (FRE	
	§§801(c), 802); Improper	
	Opinion (FRE §701);	
	Speculation (FRE §602);	
	Argumentative; Assumes	
	Facts Not In Evidence;	
	Improper Characterization	
	of Evidence; Improper	
	Authentication of	
	Document (FRE §901).	
36. Declaration of Morgan	36. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 6 ¶ 15, as follows:	402); Lacks Foundation	Overruled
In particular, note how the	and/or Personal	
letter, on page 1, identifies	Knowledge (FRE §602);	
"Your IP address you were	Hearsay (FRE §§801(c),	
assigned during your illegal	802); Improper Opinion	
activity." Id. p.1 (emphasis	(FRE §701); Speculation	
added).	(FRE §602);	
	Argumentative; Assumes	
	Facts Not In Evidence;	
	Improper Characterization	
	of Evidence.	
37. Declaration of Morgan	37. Irrelevant (FRE	Sustained
E. Pietz, pg. 6 ¶ 15, as follows:	§§401, 402); Lacks	Overruled

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Thus the letters sent to ISP	Foundation and/or	
4	subscribers tend to conflate the	Personal Knowledge (FRE	
5	ISP subscriber with the actual	§602); Hearsay (FRE	
6	infringer.	§§801(c), 802); Improper	
7		Opinion (FRE §701);	
8		Speculation (FRE §602);	
9		Argumentative; Assumes	
0		Facts Not In Evidence;	
1		Improper Characterization	
2		of Evidence.	
3	38. Declaration of Morgan	38. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 6 ¶ 15, as follows:	§§401, 402); Lacks	Overruled
5	Another scare tactic are the	Foundation and/or	
6	citations to cases awarding	Personal Knowledge (FRE	
7	astronomical statutory	§602); Hearsay (FRE	
8	damages, without explaining	§§801(c), 802); Improper	
9	the importance of willfulness	Opinion (FRE §701);	
0.	into the calculation of such	Speculation (FRE §602);	
1	damages. Id. p. 2.	Argumentative; Assumes	
22		Facts Not In Evidence;	
23		Improper Characterization	
24		of Evidence.	
25	39. Declaration of Morgan	39. Irrelevant (FRE §§401,	Sustained
26	E. Pietz, pg. 6-7 ¶ 16, as	402); Lacks Foundation	Overruled
27	follows: I am informed and	and/or Personal	
28			<u> </u>

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	believe that once Prenda has	Knowledge (FRE §602);	
4	obtained a subscriber's	Hearsay (FRE §§801(c),	
5	information, in addition to	802); Improper Opinion	
6	sending out demand letters, it	(FRE §701); Speculation	
7	also begins calling that person	(FRE §602);	
8	incessantly, with threats that if	Argumentative; Assumes	
9	they do not settle, they will be	Facts Not In Evidence;	
10	"named" in a federal lawsuit	Improper Characterization	
11	accusing them of illegally	of Evidence.	
12	downloading pornography.		
13	40. Declaration of Morgan	40. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 6-7 ¶ 16, as	§§401, 402); Lacks	Overruled
15	follows: I have never received	Foundation and/or	
16	one of these phone calls	Personal Knowledge (FRE	
17	personally, but multiple	§602); Hearsay (FRE	
18	potential and actual clients of	§§801(c), 802); Improper	
19	mine have told me much the	Opinion (FRE §701);	
20	same story in this regard:	Speculation (FRE §602);	
21	sometimes as many as three	Argumentative; Assumes	
22	phone calls a day, sometimes	Facts Not In Evidence;	
23	non for a month, but then they	Improper Characterization	
24	would start back up again,	of Evidence.	
25	according to no discernible		
26	pattern.		
27	41. Declaration of Morgan	41. Irrelevant (FRE §§401,	Sustained
28			

28 |

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1	Material Objected to:	Grounds for Objection:	Ruling on	
2			Objection:	
3	E. Pietz, pg. 7 ¶ 17, as follows:	402); Lacks Foundation	Overruled	
4	Similarly, I am informed and	and/or Personal		
5	believe, because several	Knowledge (FRE §602);		
6	potential and actual clients	Hearsay (FRE §§801(c),		
7	have told me so, that the phone	802); Improper Opinion		
8	calls included so-called "robo-	(FRE §701); Speculation		
9	calls," where it was a machine	(FRE §602);		
10	doing the dialing. See:	Argumentative; Assumes		
11	http://dietrolldie.com/2012/06/	Facts Not In Evidence;		
12	16/prenda-robo-calls-	Improper Characterization		
13	stupidity-gone-automatic/	of Evidence; Improper		
14		Authentication of		
15		Document (FRE §901).		
16	42. Declaration of Morgan	42. Irrelevant (FRE	Sustained	
17	E. Pietz, pg. 7 ¶ 18, as follows:	§§401, 402); Lacks	Overruled	
18	I am informed and believe that	Foundation and/or		
19	most of the people working in	Personal Knowledge (FRE		
20	the Prenda call centers are not	§602); Hearsay (FRE		
21	attorneys.	§§801(c), 802); Improper		
22		Opinion (FRE §701);		
23		Speculation (FRE §602);		
24		Argumentative; Assumes		
25		Facts Not In Evidence;		
26		Improper Characterization		
27		of Evidence.		
28		I	1	

1	Material Objected to:	Grounds for Objection:	Ruling on	
2			Objection:	
3	43. Declaration of Morgan	43. Irrelevant (FRE	Sustained	
4	E. Pietz, pg. 7 ¶ 18, as follows:	§§401, 402); Lacks	Overruled	
5	Rather, they are similar to	Foundation and/or		
6	professional telemarketers or	Personal Knowledge (FRE		
7	debt collectors, who often work	§602); Hearsay (FRE		
8	from specific guidelines, and	§§801(c), 802); Improper		
9	are possibly paid on	Opinion (FRE §701);		
10	commission.	Speculation (FRE §602);		
11		Argumentative; Assumes		
12		Facts Not In Evidence;		
13		Improper Characterization		
14		of Evidence.		
15	44. Declaration of Morgan	44. Irrelevant (FRE	Sustained	
16	E. Pietz, pg. 7 ¶ 18, as follows:	§§401, 402); Lacks	Overruled	
17	The common theme in these	Foundation and/or		
18	harassing communications is	Personal Knowledge (FRE		
19	pressure to "settle."	§602); Hearsay (FRE		
20		§§801(c), 802); Improper		
21		Opinion (FRE §701);		
22		Speculation (FRE §602);		
23		Argumentative; Assumes		
24		Facts Not In Evidence;		
25		Improper Characterization		
26		of Evidence.		
27	45. Declaration of Morgan	45. Irrelevant (FRE	Sustained	
28				

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
4	follows: I am informed and	Foundation and/or	
5	believe that in February 2012,	Personal Knowledge (FRE	
6	Prenda Law was forced to	§602); Hearsay (FRE	
7	make a damaging admission by	§§801(c), 802); Improper	
8	Judge Lucy Koh of the	Opinion (FRE §701); S	
9	Northern District of California.	Speculation (FRE §602);	
10		Argumentative; Assumes	
11		Facts Not In Evidence;	
12		Improper Characterization	
13		of Evidence.	
14	46. Declaration of Morgan	46. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
16	follows: After initially	Foundation and/or	
17	allowing subpoenas but then	Personal Knowledge (FRE	
18	becoming suspicious of	§602); Hearsay (FRE	
19	Prenda's attempt to obtain an	§§801(c), 802); Improper	
20	extension of the Rule 4(m)	Opinion (FRE §701);	
21	service of process deadline,	Speculation (FRE §602);	
22	Judge Koh <i>ordered</i> Mr. Brett	Argumentative; Assumes	
23	Gibbs to file a "list of the	Facts Not In Evidence;	
24	BitTorrent copyright	Improper Characterization	
25	infringement cases involving	of Evidence.	
26	multiple joined John Doe		
27	Defendants filed [by] Plaintiffs		
28	L		
1	i e e e e e e e e e e e e e e e e e e e		

1	Material Objected to:	Grounds for Objection:	Ruling on
2		,	Objection:
3	counsel's law firm or		
4 r	predecessor firm in federal		
5 0	court.		
6	47. Declaration of Morgan	47. Irrelevant (FRE	Sustained
7 I	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
8 f	follows: Identify the case by	Foundation and/or	
9 r	name, case number, court, and	Personal Knowledge (FRE	
0 f	filing date.	§602); Hearsay (FRE	
1		§§801(c), 802); Improper	
2		Opinion (FRE §701);	
3		Speculation (FRE §602);	
4		Argumentative; Assumes	
5		Facts Not In Evidence;	
6		Improper Characterization	
7		of Evidence.	
3 4	48. Declaration of Morgan	48. Irrelevant (FRE	Sustained
9 I	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
o∭ f	follows: For each case,	Foundation and/or	
1 i	indicate how many Doe	Personal Knowledge (FRE	
2 c	defendants were actually	§602); Hearsay (FRE	
3 5	served." AF Holdings v. Does	§§801(c), 802); Improper	
4 _	1-135, N.D. Cal. Case No.	Opinion (FRE §701);	
5 5	5:11-cv-0336-LHK, ECF No.	Speculation (FRE §602);	
6 4	42, 2/23/12.	Argumentative; Assumes	
7		Facts Not In Evidence;	
8 -			

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3		Improper Characterization	
4		of Evidence.	
5	49. Declaration of Morgan	49. Irrelevant (FRE	Sustained
6	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
7	follows: Judge Koh asked just	Foundation and/or	
8	the right question.	Personal Knowledge (FRE	
9		§602); Hearsay (FRE	
10		§§801(c), 802); Improper	
11		Opinion (FRE §701);	
12		Speculation (FRE §602);	
13		Argumentative; Assumes	
14		Facts Not In Evidence;	
15		Improper Characterization	
16		of Evidence.	
17	50. Declaration of Morgan	50. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
19	follows: The next day, Mr.	Foundation and/or	
20	Gibbs filed a status report with	Personal Knowledge (FRE	
21	an Exhibit disclosing that over	§602); Hearsay (FRE	
22	the year and a half prior,	§§801(c), 802);	
23	Prenda Law f/k/a Steele	Speculation (FRE §602);	
24	Hansemeier, had filed 118	Argumentative; Assumes	
25	multiple-defendant cases,	Facts Not In Evidence;	
26	against a staggering 15,878	Improper Characterization	
27	Doe defendants, but they had	of Evidence.	
28		1	

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	served zero (0) John Does in		
4	any of these cases. Id, at ECF		
5	No, 43-1, 2/24/12. pp. 4-6.		
6	51. Declaration of Morgan	51. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
8	follows: Exhibit F - A true	Foundation and/or	
9	and correct copy of this Exhibit	Personal Knowledge (FRE	
10	A to the status report, which	§602); Hearsay (FRE	
11	lists Prenda' cases, is attached	§§801(c), 802);	
12	hereto as Exhibit F .	Speculation (FRE §602);	
13		Argumentative; Assumes	
14		Facts Not In Evidence;	
15		Improper Characterization	
16		of Evidence; Improper	
17		Authentication of	
18		Document (FRE §901).	
19	52. Declaration of Morgan	52. Irrelevant (FRE	Sustained
20	E. Pietz, pg. 7-8 ¶ 19, as	§§401, 402); Lacks	Overruled
21	follows: Specifically, the	Foundation and/or	
22	status report stated, as to the	Personal Knowledge (FRE	
23	list of the 118 cases, "Although	§602); Hearsay (FRE	
24	our records indicate that we	§§801(c), 802); Improper	
25	have filed suits against	Characterization of	
26	individual copyright	Evidence.	
27	infringement defendants, our		
28	L	4	4

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	records indicate that no		
4	defendants have been served in		
5	any of the below-listed cases."		
6	53. Declaration of Morgan	53. Irrelevant (FRE §§401,	Sustained
7	E. Pietz, pg. 8 ¶ 20, as follows:	402); Lacks Foundation	Overruled
8	I am informed and believe that	and/or Personal	
9	once word of this admission by	Knowledge (FRE §602);	
10	Prenda got out (defense	Hearsay (FRE §§801(c),	
11	attorneys began including the	802); Improper Opinion	
12	status report as an exhibit to	(FRE §701); Speculation	
13	motions to quash in other	(FRE §602);	
14	cases) Prenda rightly	Argumentative; Assumes	
15	recognized that in order to have	Facts Not In Evidence;	
16	any credibility with both the	Improper Characterization	
17	courts and the people it was	of Evidence.	
18	threatening with suit, it was		
19	going to have to start naming		
20	and serving some people.		
21	54. Declaration of Morgan	54. Irrelevant (FRE	Sustained
22	E. Pietz, pg. 8 ¶ 20, as follows:	§§401, 402); Lacks	Overruled
23	So, from a list of what I	Foundation and/or	
24	suspect must be several	Personal Knowledge (FRE	
25	thousand ISP subscribers who	§602); Hearsay (FRE	
26	it has identified in prior court	§§801(c), 802); Improper	
27	actions where the courts	Opinion (FRE §701);	
28		1	<u> </u>

1	Material Objected to:	Grounds for Objection:	Ruling on
2		,	Objection:
3	allowed the ISP subpoenas,	Speculation (FRE §602);	
4	Prenda started naming and	Argumentative; Assumes	
5	serving some individual	Facts Not In Evidence;	
6	defendants, a few at a time.	Improper Characterization	
7		of Evidence.	
8	55. Declaration of Morgan	55. Irrelevant (FRE	Sustained
9	E. Pietz, pg. 8 ¶ 20, as follows:	§§401, 402); Lacks	Overruled
10	Once it did start serving	Foundation and/or	
11	people, Prenda used the	Personal Knowledge (FRE	
12	opportunity to create a section	§602); Hearsay (FRE	
13	on its website where it could	§§801(c), 802); Improper	
14	publicly shame the defendants	Opinion (FRE §701);	
15	it went after individually, with	Speculation (FRE §602);	
16	searchable links to their names,	Argumentative; Assumes	
17	and to the case documents, as a	Facts Not In Evidence;	
18	warning to the many John	Improper Characterization	
19	Doe's its "settlement	of Evidence.	
20	negotiators" were still actively		
21	pursuing.		
22	56. Declaration of Morgan	56. Irrelevant (FRE	Sustained
23	E. Pietz, pg. 8 ¶ 20, as follows:	§§401, 402); Lacks	Overruled
24	As of January 11, 2013, this	Foundation and/or	
25	section of Prenda's website	Personal Knowledge (FRE	
26	lists 140 cases against	§602); Hearsay (FRE	
27	individual, named defendants	§§801(c), 802); Improper	
28			

1			75 11
	Material Objected to:	Grounds for Objection:	Ruling on
			Objection:
	(although many of these suits	Opinion (FRE §701);	
	have already been dismissed,	Speculation (FRE §602);	
	usually without prejudice, at	Argumentative; Assumes	
	the first hint of litigation	Facts Not In Evidence;	
	difficulty).	Improper Characterization	
		of Evidence.	
	57. Declaration of Morgan	57. Irrelevant (FRE	Sustained
	E. Pietz, pg. 8 ¶ 20, as follows:	§§401, 402); Lacks	Overruled
	Each of these listings identifies	Foundation and/or	
	the plaintiff by name.	Personal Knowledge (FRE	
		§602); Hearsay (FRE	
		§§801(c), 802); Improper	
		Opinion (FRE §701);	
		Speculation (FRE §602);	
		Argumentative; Assumes	
		Facts Not In Evidence;	
		Improper Characterization	
		of Evidence.	
	58. Declaration of Morgan	58. Irrelevant (FRE	Sustained
	E. Pietz, pg. 8 ¶ 20, as follows:	§§401, 402); Lacks	Overruled
	The page also separately lists	Foundation and/or	
	208 lawsuits Prenda has filed	Personal Knowledge (FRE	
	against John Does, which are	§602); Hearsay (FRE	
	described as "Recent Cases	§§801(c), 802); Improper	
	Against Soon-to-be-Identified	Opinion (FRE §701);	

_			
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Individuals." See	Speculation (FRE §602);	
4	http://wefightpiracy.com/suits-	Argumentative; Assumes	
5	against-individuals.php, as of	Facts Not In Evidence;	
6	January 11, 2013.	Improper Characterization	
7		of Evidence.	
8	59. Declaration of Morgan	59. Irrelevant (FRE	Sustained
9	E. Pietz, pg. 8-9 ¶ 21, as	§§401, 402); Lacks	Overruled
10	follows: I am informed and	Foundation and/or	
11	believe that on multiple	Personal Knowledge (FRE	
12	occasions, in half-hearted	§602); Hearsay (FRE	
13	attempts to request an	§§801(c), 802); Improper	
14	extension of the Rule 4(m)	Opinion (FRE §701);	
15	deadline, but explain why no	Speculation (FRE §602);	
16	service has yet been effected in	Argumentative; Assumes	
17	his case, Mr. Gibbs has	Facts Not In Evidence;	
18	explained that the lack of	Improper Characterization	
19	service should be excused	of Evidence; Improper	
20	because he cannot, consistent	Authentication of	
21	with Rule 11(b)(3), form the	Document (FRE §901).	
22	"reasonable basis" necessary to		
23	support a factual allegation that		
24	an ISP subscriber is the actual		
25	infringer without some kind of		
26	further discovery beyond the		
27	mere fact that a person happens		
28	L		

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	to pay the Internet bill. Hard		
4	Drive Prod's, v. Doe, N.D.		
5	Cal. Case No. 22-1566, ECF		
6	No. 29, 11/11/11 (status report		
7	filed by Brett Gibbs); see also		
8	Boy Racer, Inc. v. Does 1-52,		
9	2011 WL 7402999 (N.D. Cal,		
10	2011) (Mr. Gibbs admitted that		
11	the ISP subpoenas "were not		
12	sufficient to 'fully identify'		
13	'each P2P network user		
14	suspected of violating the		
15	plaintiffs copyright"); Hard		
16	Drive Productions v. Doe, No.		
17	4:1 l-cv-05634-PJH, ECF No.		
18	9, pp. 9-10, 1/6/12 (plaintiffs		
19	ex parte application for further		
20	discovery, seeking leave to		
21	depose an ISP subscriber) (Mr.		
22	Gibbs represented to the Court		
23	that "Plaintiff must conduct		
24	additional limited ex parte		
25	discovery [beyond the		
26	subpoenas which had already		
27	been issued] to determine who		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	should be named as the		
4	defendant in this case.").		
5	60. Declaration of Morgan	60. Irrelevant (FRE	Sustained
6	E. Pietz, pg. 8-9 ¶ 21, as	§§401, 402); Lacks	Overruled
7	follows: Footnote 1 -	Foundation and/or	
8	Generally, a case that is	Personal Knowledge (FRE	
9	nominally still pending against	§602); Improper Opinion	
10	someone is more effective as	(FRE §701); Speculation	
11	settlement leverage than is a	(FRE §602);	
12	case that has been fully	Argumentative; Assumes	
13	terminated.	Facts Not In Evidence;	
14		Improper Characterization	
15		of Evidence.	
16	61. Declaration of Morgan	61. Irrelevant (FRE	Sustained
17	E. Pietz, pg. 8-9 ¶ 21, as	§§401, 402); Lacks	Overruled
18	follows: Thus, Prenda	Foundation and/or	
19	generally tries to keep its cases	Personal Knowledge (FRE	
20	alive, on life support, for as	§602); Improper Opinion	
21	long as possible, but while	(FRE §701); Speculation	
22	doing as little actual litigating	(FRE §602);	
23	as possible.	Argumentative; Assumes	
24		Facts Not In Evidence;	
25		Improper Characterization	
26		of Evidence.	
27	62. Declaration of Morgan	62. Irrelevant (FRE §§401,	Sustained
28			I

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	E. Pietz, pg. 9-10 ¶ 22, as	402); Lacks Foundation	Overruled
4	follows: Further, I am	and/or Personal	
5	informed and believe that Mr.	Knowledge (FRE §602);	
6	Gibbs has been specifically	Hearsay (FRE §§801(c),	
7	warned by Judge Seeborg of	802); Improper Opinion	
8	the Northern District of	(FRE §701); Speculation	
9	California that, based on his	(FRE §602);	
10	admission that the ISP address	Argumentative; Assumes	
11	alone is not enough to justify	Facts Not In Evidence;	
12	naming and serving someone	Improper Characterization	
13	with a pornography complaint,	of Evidence.	
14	threatening to actually name		
15	and serve an ISP subscriber is	•	
16	inappropriate.		
17	63. Declaration of Morgan	63. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 9-10 ¶ 22, as	§§401, 402); Lacks	Overruled
19	follows: Specifically,	Foundation and/or	
20	"Given plaintiffs"	Personal Knowledge (FRE	
21	admission that it lacks	§602); Hearsay (FRE	
22	knowledge as to whether	§§801(c), 802); Improper	
23	Wang [an ISP	Characterization of	
24	subscriber] is responsible	Evidence; Improper	
25	for the alleged	Authentication of	
26	infringement, <i>naming</i>	Document (FRE §901).	
27	her as a defendant at		
28			

Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
this juncture would		
present a serious Rule		
11 issue. As such, the		
argument has the		
appearance of an		
improper threat." <i>Hard</i>		
Drive Productions, Inc.		ı
v. John Doe, No. 4:11-		
<i>cv-05630</i> (Order		l
Granting Leave to Issue		
Deposition		
Subpoena)(N.D. Cal,		
January 18, 2012)(ECF		
No, 10 at 2) (emphasis		
added).		
64. Declaration of Morgan	64. Irrelevant (FRE	Sustained
E. Pietz, pg. 9-10 ¶ 22, as	§§401, 402); Lacks	Overruled
follows: In short, Mr. Gibbs	Foundation and/or	
has both admitted, and been	Personal Knowledge (FRE	
specifically warned by a	§602); Hearsay (FRE	
federal Judge, that something	§§801(c), 802); Improper	
more is required, beyond the	Opinion (FRE §701);	
mere fact that someone	Speculation (FRE §602);	
happens to pay the Internet bill,	Argumentative; Assumes	
in order to justify naming and	Facts Not In Evidence;	
		which was a second of the seco
	this juncture would present a serious Rule 11 issue. As such, the argument has the appearance of an improper threat." Hard Drive Productions, Inc. v. John Doe, No. 4:11- cv-05630 (Order Granting Leave to Issue Deposition Subpoena)(N.D. Cal, January 18, 2012)(ECF No, 10 at 2) (emphasis added). 64. Declaration of Morgan E. Pietz, pg. 9-10 ¶ 22, as follows: In short, Mr. Gibbs has both admitted, and been specifically warned by a federal Judge, that something more is required, beyond the mere fact that someone happens to pay the Internet bill,	this juncture would present a serious Rule 11 issue. As such, the argument has the appearance of an improper threat." Hard Drive Productions, Inc. v. John Doe, No. 4:11- cv-05630 (Order Granting Leave to Issue Deposition Subpoena)(N.D. Cal, January 18, 2012)(ECF No, 10 at 2) (emphasis added). 64. Irrelevant (FRE \$\frac{8}401, 402); Lacks Foundation and/or Personal Knowledge (FRE \$\frac{8}602); Hearsay (FRE \$\frac{8}801(c), 802); Improper more is required, beyond the mere fact that someone happens to pay the Internet bill, Argumentative; Assumes

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	serving that person with a	Improper Characterization	
4	complaint in a case like this.	of Evidence.	
5	65. Declaration of Morgan	65. Irrelevant (FRE §§401,	Sustained
6	E. Pietz, pg. 10 ¶ 23, as	402); Lacks Foundation	Overruled
7	follows: Despite the above	and/or Personal	
8	admissions and specific	Knowledge (FRE §602);	
9	warning from Judge Seeborg	Improper Opinion (FRE	
10	on Rule 11, I am personally	§701); Speculation (FRE	
11	aware of at least two occasions	§602); Argumentative;	
12	where Mr. Gibbs of Prenda law	Assumes Facts Not In	
13	has actually done precisely the	Evidence; Improper	
14	opposite, and gone ahead and	Characterization of	
15	named and served someone (or	Evidence.	
16	tried to do so) based on the fact		
17	that they were the account		
18	billing contact identified by the		
19	ISP.		
20	66. Declaration of Morgan	66. Irrelevant (FRE	Sustained
21	E. Pietz, pg. 10 ¶ 23, as	§§401, 402); Lacks	Overruled
22	follows: In both instances,	Foundation and/or	
23	Prenda has tried to defend itself	Personal Knowledge (FRE	
24	by saying that it did perform	§602); Improper Opinion	
25	some kind of online Internet	(FRE §701); Speculation	
26	investigation.	(FRE §602);	
27		Argumentative; Assumes	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3		Facts Not In Evidence;	
4		Improper Characterization	
5		of Evidence.	
6	67. Declaration of Morgan	67. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 10 ¶ 23, as	§§401, 402); Lacks	Overruled
8	follows: But in both	Foundation and/or	
9	instances, the investigation was	Personal Knowledge (FRE	
10	a farce and the "facts"	§602); Improper Opinion	
11	supposedly yielded by the	(FRE §701); Speculation	
12	investigation were so wildly	(FRE §602);	
13	incorrect that one has to	Argumentative; Assumes	
14	wonder whether Prenda was	Facts Not In Evidence;	
15	not really just making these	Improper Characterization	
16	"facts" up.	of Evidence.	
17	68. Declaration of Morgan	68. Irrelevant (FRE §§401,	Sustained
18	E. Pietz, pg. 10-11 ¶ 24, as	402); Lacks Foundation	Overruled
19	follows: The first example of	and/or Personal	
20	Prenda's bad faith in naming	Knowledge (FRE §602);	
21	and serving an ISP subscriber	Improper Opinion (FRE	
22	that I am aware of concerns my	§701); Speculation (FRE	
23	client Jesse Nason.	§602); Argumentative;	
24		Assumes Facts Not In	
25		Evidence; Improper	
26		Characterization of	
27		Evidence.	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	69. Declaration of Morgan	69. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
5	follows: Facing a "stiffening	Foundation and/or	
6	judicial headwind" in federal	Personal Knowledge (FRE	
7	court a newer Prenda law tactic	§602); Improper Opinion	
8	is to dress copyright	(FRE §701); Speculation	
9	infringement claims up in state	(FRE §602);	
10	law and "computer fraud"	Argumentative; Assumes	
11	clothing, in order to file suit in	Facts Not In Evidence;	
12	state courts.	Improper Characterization	
13		of Evidence.	
14	70. Declaration of Morgan	70. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
16	follows: Such was the case in	Foundation and/or	
17	Lightspeed Media Corporation	Personal Knowledge (FRE	
18	v. John Doe, Circuit Court of	§602); Improper Opinion	
19	St. Clair County, IL, No. 11 L	(FRE §701); Speculation	
20	683.	(FRE §602);	
21		Argumentative; Assumes	
22		Facts Not In Evidence;	
23		Improper Characterization	
24		of Evidence.	
25	71. Declaration of Morgan	71. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
27	follows: In that original	Foundation and/or	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Lightspeed case, Prenda, on	Personal Knowledge (FRE	
4	behalf of Lightspeed, filed suit	§602); Improper Opinion	
5	against a single John Doe,	(FRE §701); Speculation	
6	alleging claims for violations	(FRE §602);	
7	of the federal Computer Fraud	Argumentative; Assumes	
8	and Abuse Act (18 U.S.C. §	Facts Not In Evidence;	
9	1030 et seq.) ("CFAA") as well	Improper Characterization	
10	as several state law claims that	of Evidence.	
11	were all pre-empted by the		
12	Copyright Act.		
13	72. Declaration of Morgan	72. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
15	follows: In addition to	Foundation and/or	
16	seeking ISP information for	Personal Knowledge (FRE	
17	this single defendant, Prenda	§602); Speculation (FRE	
18	also sought to subpoena a list	§602); Argumentative;	
19	of 6,600 IP addresses for	Assumes Facts Not In	
20	supposed "co-conspirators,"	Evidence; Improper	
21	located all over the country,	Characterization of	
22	who had supposedly assisted	Evidence.	
23	the lead defendant in his		
24	"password hacking" and		
25	computer fraud.		
26	73. Declaration of Morgan	73. Irrelevant (FRE	Sustained
27	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	follows: Mr. Nason was not	Foundation and/or	
4	given the required notice by his	Personal Knowledge (FRE	
5	ISP, so he was not able to	§602); Hearsay (FRE	
6	object to the subpoena seeking	§§801(c), 802); Improper	
7	his information.	Opinion (FRE §701);	
8		Speculation (FRE §602);	
9		Argumentative; Assumes	
10		Facts Not In Evidence;	
11		Improper Characterization	
12		of Evidence.	
13	74. Declaration of Morgan	74. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
15	follows: Although some ISPs	Foundation and/or	
16	later objected to these	Personal Knowledge (FRE	
17	subpoenas, resulting in the	§602); Hearsay (FRE	
18	Illinois Supreme Court	§§801(c), 802); Improper	
19	stepping in to issue a	Opinion (FRE §701);	
20	"supervisory order" curtailing	Speculation (FRE §602);	
21	the IP address discovery	Argumentative; Assumes	
22	issuing out of St. Clair County,	Facts Not In Evidence;	
23	Mr. Nason's ISP simply	Improper Characterization	
24	handed Mr. Nason's info over	of Evidence.	
25	before any of that played out.		
26	75. Declaration of Morgan	75. Irrelevant (FRE	Sustained
27	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	follows: A few months after	Foundation and/or	
4	his information was released	Personal Knowledge (FRE	
5	by his ISP, a process sever	§602); Hearsay (FRE	
6	showed up on Mr. Nason's	§§801(c), 802); Improper	
7	doorstep, and he was served in	Opinion (FRE §701);	
8	Lightpseed Media Corporation	Speculation (FRE §602);	
9	v. Nason, Los Angeles	Argumentative; Assumes	
10	Superior Court No. NC057950.	Facts Not In Evidence;	
11		Improper Characterization	
12		of Evidence.	
13	76. Declaration of Morgan	76. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
15	follows: When Mr. Gibbs was	Foundation and/or	
16	pressed at the first hearing in	Personal Knowledge (FRE	
17	the matter to explain how,	§602); Hearsay (FRE	
18	based on the prior admissions	§§801(c), 802); Improper	
19	noted above, he could justify	Opinion (FRE §701);	
20	having named and served Mr.	Speculation (FRE §602);	
21	Nason in a public complaint,	Argumentative; Assumes	
22	Mr. Gibbs responded that	Facts Not In Evidence;	
23	Prenda had determined that Mr.	Improper Characterization	
24	Nason "lived alone."	of Evidence.	
25	77. Declaration of Morgan	77. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
27	follows: After I had a chance	Foundation and/or	
28			1

		W.1201	
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	to confer with my client, I	Personal Knowledge (FRE	
4	learned this was untrue; Mr,	§602); Improper Opinion	
5	Nason has been married for	(FRE §701); Speculation	
6	several years, and lives with	(FRE §602);	
7	his wife.	Argumentative; Assumes	
8		Facts Not In Evidence;	
9		Improper Characterization	
10		of Evidence.	
11	78. Declaration of Morgan	78. Irrelevant (FRE	Sustained
12	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
13	follows: No other justification	Foundation and/or	
14	for naming and serving Mr.	Personal Knowledge (FRE	
15	Nason was presented (other	§602); Improper Opinion	
16	than that he paid the Internet	(FRE §701); Speculation	
17	bill, and "lived alone," which	(FRE §602);	
18	was untrue).	Argumentative; Assumes	
19		Facts Not In Evidence;	
20		Improper Characterization	
21		of Evidence.	
22	79. Declaration of Morgan	79. Irrelevant (FRE	Sustained
23	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
24	follows: After Mr. Nason had	Foundation and/or	
25	his first demurrer sustained,	Personal Knowledge (FRE	
26	and all the state law claims	§602); Improper Opinion	
27	dismissed with prejudice, on	(FRE §701); Speculation	
28			1

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	the eve of a second demurrer	(FRE §602);	
4	being filed, Prenda dismissed	Argumentative; Assumes	
5	the remaining CFAA claim	Facts Not In Evidence;	
6	(without prejudice, of course).	Improper Characterization	
7		of Evidence.	
8	80. Declaration of Morgan	80. Irrelevant (FRE	Sustained
9	E. Pietz, pg. 10-11 ¶ 24, as	§§401, 402); Lacks	Overruled
10	follows: Exhibit G - A true	Foundation and/or	
11	and correct copy of the	Personal Knowledge (FRE	
12	Declaration of Jesse Nason is	§602); Hearsay (FRE	
13	attached hereto as Exhibit G.	§§801(c), 802); Improper	
14		Opinion (FRE §701);	
15		Speculation (FRE §602);	
16		Argumentative; Assumes	
17		Facts Not In Evidence;	
18		Improper Characterization	
19		of Evidence; Improper	
20		Authentication of	
21		Document (FRE §901).	
22	81. Declaration of Morgan	81. Irrelevant (FRE §§401,	Sustained
23	E. Pietz, pg. 11 ¶ 25, as	402); Lacks Foundation	Overruled
24	follows: The second concrete	and/or Personal	
25	example of Prenda's bad faith	Knowledge (FRE §602);	
26	with respect to naming and	Hearsay (FRE §§801(c),	
27	serving an ISP subscriber that I	802); Improper Opinion	
28			1

	11.12.03	
Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
am aware of occurred in AF	(FRE §701); Speculation	
Holdings LLC v. John Doe et	(FRE §602);	
al, N.D. Cal. No. 12-cv-2049,	Argumentative; Assumes	
ECF No. 45, 1/7/1 3 in a case	Facts Not In Evidence;	
pending before Judge	Improper Characterization	
Hamilton.	of Evidence.	
82. Declaration of Morgan	82. Irrelevant (FRE	Sustained
E. Pietz, pg. 11 ¶ 25, as	§§401, 402); Lacks	Overruled
follows: Prenda learned the	Foundation and/or	
ISP subscriber's identity in that	Personal Knowledge (FRE	
case from AF Holdings v. Does	§602); Hearsay (FRE	
1-135, N.D. Cal. Case No. 5:1	§§801(c), 802); Improper	
l-cv-0336-LHK, which was the	Opinion (FRE §701);	
same case where Judge Koh	Speculation (FRE §602);	
ordered Mr. Gibbs to file the	Argumentative; Assumes	
now infamous status report.	Facts Not In Evidence;	
	Improper Characterization	
	of Evidence.	
83. Declaration of Morgan	83. Irrelevant (FRE	Sustained
E. Pietz, pg. 11 ¶ 25, as	§§401, 402); Lacks	Overruled
follows: Prior to the earlier	Foundation and/or	
case being dismissed by Judge	Personal Knowledge (FRE	
Koh on March 27, 2012 (1 l-	§602); Hearsay (FRE	
cv-336, ECF No. 45) for failure	§§801(c), 802); Improper	
to serve, however, an ISP	Opinion (FRE §701);	
	L	L
	am aware of occurred in <i>AF Holdings LLC</i> v. <i>John Doe et al</i> , N.D. Cal. No. 12-cv-2049, ECF No. 45, 1/7/1 3 in a case pending before Judge Hamilton. 82. Declaration of Morgan E. Pietz, pg. 11 ¶ 25, as follows: Prenda learned the ISP subscriber's identity in that case from <i>AF Holdings v. Does</i> 1-135, N.D. Cal. Case No. 5:1 1-cv-0336-LHK, which was the same case where Judge Koh ordered Mr. Gibbs to file the now infamous status report. 83. Declaration of Morgan E. Pietz, pg. 11 ¶ 25, as follows: Prior to the earlier case being dismissed by Judge Koh on March 27, 2012 (1 1- cv-336, ECF No. 45) for failure	am aware of occurred in AF Holdings LLC v. John Doe et al, N.D. Cal. No. 12-cv-2049, ECF No. 45, 1/7/1 3 in a case pending before Judge Hamilton. 82. Declaration of Morgan E. Pietz, pg. 11 ¶ 25, as follows: Prenda learned the ISP subscriber's identity in that case from AF Holdings v. Does 1-135, N.D. Cal. Case No. 5:1 1-cv-0336-LHK, which was the same case where Judge Koh ordered Mr. Gibbs to file the now infamous status report. 83. Declaration of Morgan E. Pietz, pg. 11 ¶ 25, as follows: Prior to the earlier case being dismissed by Judge Koh on March 27, 2012 (11- cv-336, ECF No. 45) for failure [FRE §602); Speculation (FRE §602); Argumentative; Assumes Facts Not In Evidence; [Improper Characterization of Evidence. 83. Irrelevant (FRE §\$401, 402); Lacks Foundation and/or Personal Knowledge (FRE §\$602); Hearsay (FRE §\$401, 402); Lacks Foundation and/or Personal Knowledge (FRE §\$401, 402); Lacks

Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
subpoena was processed	Speculation (FRE §602);	
resulting in the identification of	Argumentative; Assumes	
one Josh Hatfield as the ISP	Facts Not In Evidence;	
billing contact who paid for an	Improper Characterization	
account that was assigned one	of Evidence.	
of the allegedly infringing IP		
addresses at issue.		
84. Declaration of Morgan	84. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 11-12 ¶ 26, as	402); Lacks Foundation	Overruled
follows: I am informed and	and/or Personal	
believe that on April 24, 2012,	Knowledge (FRE §602);	
Prenda filed a complaint	Hearsay (FRE §§801(c),	
asserting claims for copying	802); Speculation (FRE	
infringement and contributory	§602); Assumes Facts Not	
copyright infringement against	In Evidence; Improper	
an unidentified Doe defendant,	Characterization of	
and another cause of action for	Evidence.	
negligence against Josh		
Hatfield (the 12-cv-2049		
action).		
85. Declaration of Morgan	85. Irrelevant (FRE	Sustained
E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
follows: The initial complaint	Foundation and/or	
in the 12-cv-2049 action did	Personal Knowledge (FRE	
not assert claims for copyright	§602); Hearsay (FRE	
	subpoena was processed resulting in the identification of one Josh Hatfield as the ISP billing contact who paid for an account that was assigned one of the allegedly infringing IP addresses at issue. 84. Declaration of Morgan E. Pietz, pg. 11-12 ¶ 26, as follows: I am informed and believe that on April 24, 2012, Prenda filed a complaint asserting claims for copying infringement and contributory copyright infringement against an unidentified Doe defendant, and another cause of action for negligence against Josh Hatfield (the 12-cv-2049 action). 85. Declaration of Morgan E. Pietz, pg. 11-12 ¶ 26, as follows: The initial complaint in the 12-cv-2049 action did	subpoena was processed resulting in the identification of one Josh Hatfield as the ISP billing contact who paid for an account that was assigned one of the allegedly infringing IP addresses at issue. 84. Declaration of Morgan E. Pietz, pg. 11-12 ¶ 26, as follows: I am informed and believe that on April 24, 2012, Prenda filed a complaint asserting claims for copying infringement and contributory copyright infringement against an unidentified Doe defendant, and another cause of action for negligence against Josh Hatfield (the 12-cv-2049 action). 85. Declaration of Morgan E. Pietz, pg. 11-12 ¶ 26, as follows: The initial complaint in the 12-cv-2049 action did Speculation (FRE §602); Argumentative; Assumes Facts Not In Evidence. 844. Irrelevant (FRE §\$401, 402); Lacks Foundation and/or Personal Knowledge (FRE §602); Hearsay (FRE §\$801(c), 802); Speculation (FRE §602); Argumentative; Assumes Facts Not In Evidence.

4			
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	infringement against Hatfield.	§§801(c), 802);	
4		Speculation (FRE §602);	
5		Assumes Facts Not In	
6		Evidence; Improper	
7		Characterization of	
8		Evidence.	
9	86. Declaration of Morgan	86. Irrelevant (FRE	Sustained
10	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
11	follows: Instead, the gravamen	Foundation and/or	
12	of the negligence claim against	Personal Knowledge (FRE	
13	Hatfield was that he failed to	§602); Hearsay (FRE	
14	secure his Internet network.	§§801(c), 802);	
15		Speculation (FRE §602);	
16		Assumes Facts Not In	
17		Evidence; Improper	
18		Characterization of	
19		Evidence.	
20	87. Declaration of Morgan	87. Irrelevant (FRE	Sustained
21	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
22	follows: After Hatfield moved	Foundation and/or	
23	to dismiss the negligence	Personal Knowledge (FRE	
24	claim, Prenda filed a first	§602); Hearsay (FRE	
25	amended complaint ("FAC")	§§801(c), 802);	
26	asserting copyright	Speculation (FRE §602);	
27	infringement against the Doe,	Assumes Facts Not In	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Material Objected to.	Grounds for Objection.	Objection:
3	"and a claim of negligence	Evidence; Improper	
4	against Hatfield, based on	Characterization of	
5	alleged third party's use of	Evidence.	
6	Hatfield's Internet connection		•
7	to commit the infringement,		
8	and Hatfield's failure to secure		
9	this Internet connection and/or		
10	failure to monitor the		
11	unidentified third party's use of		
12	his Internet connection." AF		
13	Holdings LLC v. John Doe et		
14	al., N.D. Cal. No. 12-cv-2049,		
15	ECF No. 45, 1/7/13, p. 3.		
16	88. Declaration of Morgan	88. Irrelevant (FRE	Sustained
17	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
18	follows: The FAC also	Foundation and/or	
19	explained in a footnote on page	Personal Knowledge (FRE	
20	1 that "at this stage of the	§602); Hearsay (FRE	
21	litigation, [p]laintiff does not	§§801(c), 802);	
22	know if [defendant Doe is the	Speculation (FRE §602);	
23	same individual as Josh	Assumes Facts Not In	
24	Hatfield." FAC at 1, n.l.	Evidence; Improper	
25		Characterization of	
26		Evidence.	
27	89. Declaration of Morgan	89. Irrelevant (FRE	Sustained
20	Leave the second		

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
4	follows: Hatfield then moved	Foundation and/or	
5	to dismiss the negligence	Personal Knowledge (FRE	
6	claim, and the Court granted	§602); Hearsay (FRE	
7	the motion, with prejudice.	§§801(c), 802);	
8		Speculation (FRE §602);	
9		Assumes Facts Not In	
10		Evidence; Improper	
11		Characterization of	
12		Evidence.	
13	90. Declaration of Morgan	90. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
15	follows: The Court also	Foundation and/or	
16	pointed out that the case was	Personal Knowledge (FRE	
17	well past the 120-day Rule	§602); Hearsay (FRE	
18	4(m) service of process	§§801(c), 802);	
19	deadline, and ordered the	Speculation (FRE §602);	
20	plaintiff to file a proof of	Assumes Facts Not In	
21	service by October 4, 2012.	Evidence; Improper	
22		Characterization of	
23		Evidence.	
24	91. Declaration of Morgan	91. Irrelevant (FRE	Sustained
25	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
26	follows: The plaintiff did not	Foundation and/or	
27	do so.	Personal Knowledge (FRE	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3		§602); Hearsay (FRE	
4		§§801(c), 802);	
5		Speculation (FRE §602);	
6		Assumes Facts Not In	
7		Evidence; Improper	
8		Characterization of	
9		Evidence.	
10	92. Declaration of Morgan	92. Irrelevant (FRE	Sustained
11	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
12	follows: Instead, it filed a	Foundation and/or	
13	motion on September 28, 2012,	Personal Knowledge (FRE	
14	seeking leave to amend the	§602); Hearsay (FRE	
15	complaint again, to now allege	§§801(c), 802);	
16	that Hatfield was the Doe	Speculation (FRE §602);	
17	defendant.	Assumes Facts Not In	
18		Evidence; Improper	
19		Characterization of	
20		Evidence.	
21	93. Declaration of Morgan	93. Irrelevant (FRE	Sustained
22	E. Pietz, pg. 11-12 ¶ 26, as	§§401, 402); Lacks	Overruled
23	follows: I am informed and	Foundation and/or	
24	believe that a November 7,	Personal Knowledge (FRE	
25	2012, hearing on plaintiffs	§602); Hearsay (FRE	
26	motion for leave to amend the	§§801(c), 802);	
27	complaint to allege that the ISP	Speculation (FRE §602);	
28	<u> </u>	1	

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	subscriber Hatfield actually	Assumes Facts Not In	
4	was the Doe defendant being	Evidence; Improper	
5	sued for copyright	Characterization of	
6	infringement, Judge Hamilton	Evidence.	
7	advised Mr. Gibbs that,		
8	"he would have to		
9	persuade the Court that		
10	he had discovered		
11	additional evidence,		
12	based on the same		
13	identification of a		
14	defendant that he had		
15	discovered additional		
16	evidence, based on the		
17	same identification of a		
18	defendant that he had		
19	know about for more		
20	than a year. The Court		
21	gave counsel one week		
22	to submit a revised		
23	proposed SAC that		
24	demonstrated diligence		
25	and that supported the		
26	alleged 'new facts'		
27	asserted by counsel,"		
28	L		

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	94. Declaration of Morgan	94. Irrelevant (FRE §§401,	Sustained
4	E. Pietz, pg. 11-12 ¶ 26, as	402); Lacks Foundation	Overruled
5	follows: Mr. Gibbs did indeed	and/or Personal	
6	file a proposed revised second	Knowledge (FRE §602);	
7	amended complaint against Mr,	Hearsay (FRE §§801(c),	
8	Hatfield, which contained a	802); Speculation (FRE	
9	new section entitled "Plaintiffs	§602); Assumes Facts Not	
10	Further Investigation of	In Evidence; Improper	
11	Defendant."	Characterization of	
12		Evidence.	
13	95. Declaration of Morgan	95. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 13 ¶ 28, as	§§401, 402); Lacks	Overruled
15	follows: I am informed and	Foundation and/or	
16	believe that as in the Nason	Personal Knowledge (FRE	
17	case, the "investigation"	§602); Hearsay (FRE	
18	plaintiff claims to have	§§801(c), 802); Improper	
19	conducted in the Hatfield case	Opinion (FRE §701);	
20	was (a) woefully insufficient as	Argumentative; Assumes	
21	to methodology, and (b)	Facts Not In Evidence;	
22	resulted in wildly incorrect	Improper Characterization	
23	"facts."	of Evidence.	
24	96. Declaration of Morgan	96. Irrelevant (FRE §§401,	Sustained
25	E. Pietz, pg. 13 ¶ 28, as	402); Lacks Foundation	Overruled
26	follows: Judge Hamilton's	and/or Personal	
27	order denying the motion for	Knowledge (FRE §602);	
28			1

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	leave to amend the complaint,	Hearsay (FRE §§801(c),	
4	a true and correct copy of	802); Improper Opinion	
5	which is attached hereto as	(FRE §701); Speculation	
6	Exhibit H explains all of the	(FRE §602);	
7	ways "Plaintiffs Further	Argumentative; Assumes	
8	Investigation of Defendant"	Facts Not In Evidence;	
9	which appears to have mainly	Improper Characterization	
10	consisted of a bit of light	of Evidence.	
11	google searching, was		
12	insufficient.		
13	97. Declaration of Morgan	97. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 13 ¶ 28, as	§§401, 402); Lacks	Overruled
15	follows: Exhibit H - Judge	Foundation and/or	
16	Hamilton's order denying the	Personal Knowledge (FRE	
17	motion for leave to amend the	§602); Hearsay (FRE	
18	complaint, a true and correct	§§801(c), 802); Improper	
19	copy of which is attached	Opinion (FRE §701);	
20	hereto as Exhibit H explains	Speculation (FRE §602);	
21	all of the ways "Plaintiffs	Argumentative; Assumes	
22	Further Investigation of	Facts Not In Evidence;	
23	Defendant" which appears to	Improper Characterization	
24	have mainly consisted of a bit	of Evidence.	
25	of light google searching, was		
26	insufficient.		
27	98. Declaration of Morgan	98. Irrelevant (FRE	Sustained
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	E. Pietz, pg. 13 ¶ 28, as	§§401, 402); Lacks	Overruled
4	follows: However, even more	Foundation and/or	
5	notably, as in the Nason case,	Personal Knowledge (FRE	
6	the "facts" Prenda came up	§602); Improper Opinion	
7	with are wildly incorrect. In	(FRE §701); Speculation	
8	large measure, Mr. Gibbs	(FRE §602);	
9	explained his "good faith"	Argumentative; Assumes	
10	belief that Mr. Hatfield was the	Facts Not In Evidence;	
11	actual infringer by pointing to	Improper Characterization	
12	facebook and Myspace pages	of Evidence.	
13	that do not actually belong to		
14	Mr. Hatfield.		
15	99. Declaration of Morgan	99. Irrelevant (FRE	Sustained
16	E. Pietz, pg. 13 ¶ 28, as	§§401, 402); Lacks	Overruled
17	follows: Exhibit I - A true and	Foundation and/or	
18	correct copy of Mr. Hatfield's	Personal Knowledge (FRE	
19	declaration swearing to this is	§602); Hearsay (FRE	
20	attached as Exhibit I.	§§801(c), 802); Improper	
21		Opinion (FRE §701);	
22		Speculation (FRE §602);	
23		Argumentative; Assumes	
24		Facts Not In Evidence;	
25		Improper Characterization	
26		of Evidence; Improper	
27		Authentication of	
28	L		

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Material Objected to:	Grounds for Objection:	Ruling on
		Objection:
	Document (FRE §901).	
100. Declaration of Morgan	100. Irrelevant (FRE	Sustained
E. Pietz, pg. 13 ¶ 28, as	§§401, 402); Lacks	Overruled
follows: Just as Prenda's	Foundation and/or	
"investigation" supposedly	Personal Knowledge (FRE	
revealed that Mr. Nason "lived	§602); Hearsay (FRE	
alone," when he had been	§§801(c), 802); Improper	
married for years, the	Opinion (FRE §701);	
"investigation" of Mr. Hatfield	Speculation (FRE §602);	
resulted in Prenda submitting	Argumentative; Assumes	
to the Court facebook and	Facts Not In Evidence;	
Myspace pages that did not	Improper Characterization	
actually belong to Mr. Hatfield.	of Evidence.	
101. Declaration of Morgan	101. Irrelevant (FRE	Sustained
E. Pietz, pg. 13-14 ¶ 29, as	§§401, 402); Lacks	Overruled
follows: I am informed and	Foundation and/or	
believe that starting in	Personal Knowledge (FRE	
November of 2012, facts began	§602); Hearsay (FRE	
to come to light regarding one	§§801(c), 802); Improper	
Alan Cooper of Minnesota, all	Opinion (FRE §701);	
of which seem to suggest that	Speculation (FRE §602);	
Prenda has been engaged in	Argumentative; Assumes	
systemic fraud, both on the	Facts Not In Evidence;	
courts and on the copyright	Improper Characterization	
office; forgery; identity theft,	of Evidence.	
	100. Declaration of Morgan E. Pietz, pg. 13 ¶ 28, as follows: Just as Prenda's "investigation" supposedly revealed that Mr. Nason "lived alone," when he had been married for years, the "investigation" of Mr. Hatfield resulted in Prenda submitting to the Court facebook and Myspace pages that did not actually belong to Mr. Hatfield. 101. Declaration of Morgan E. Pietz, pg. 13-14 ¶ 29, as follows: I am informed and believe that starting in November of 2012, facts began to come to light regarding one Alan Cooper of Minnesota, all of which seem to suggest that Prenda has been engaged in systemic fraud, both on the courts and on the copyright	Document (FRE §901). 100. Declaration of Morgan E. Pietz, pg. 13 ¶ 28, as follows: Just as Prenda's "investigation" supposedly revealed that Mr. Nason "lived alone," when he had been married for years, the "investigation" of Mr. Hatfield resulted in Prenda submitting to the Court facebook and Myspace pages that did not actually belong to Mr. Hatfield. 101. Declaration of Morgan E. Pietz, pg. 13-14 ¶ 29, as follows: I am informed and believe that starting in November of 2012, facts began to come to light regarding one Alan Cooper of Minnesota, all of which seem to suggest that Prenda has been engaged in systemic fraud, both on the courts and on the copyright Document (FRE §901). 100. Irrelevant (FRE §\$401, 402); Lacks Foundation and/or Personal Knowledge (FRE §\$401, 402); Lacks Foundation and/or Personal Knowledge (FRE §\$801(c), 802); Improper Opinion (FRE §701); Speculation (FRE §602); Argumentative; Assumes Facts Not In Evidence; Improper Characterization

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Material Objected to.	Grounds for Objection.	Objection:
3	as well as improper fee		
4	splitting, and concealment of		
5	the identity of the real parties		
6	in interest in these cases,		
7	among other very troubling		
8	issues.		
9	102. Declaration of Morgan	102. Irrelevant (FRE	Sustained
10	E. Pietz, pg. 13-14 ¶ 29, as	§§401, 402); Lacks	Overruled
11	follows: My knowledge of the	Foundation and/or	
12	Alan Cooper issues is based	Personal Knowledge (FRE	
13	primarily on two sources: (i) a	§602); Hearsay (FRE	
14	letter Mr. Cooper's attorney	§§801(c), 802); Improper	
15	filed on his behalf in two AF	Opinion (FRE §701);	
16	Holdings cases pending in	Speculation (FRE §602);	
17	Minnesota, a true and correct	Argumentative; Assumes	
18	copy of which is attached	Facts Not In Evidence;	
19	hereto as Exhibit J : and (ii) a	Improper Characterization	
20	sworn affidavit executed by	of Evidence.	
21	Mr. Cooper himself, a true and		
22	correct copy of which is		
23	attached hereto as Exhibit K.		
24	103. Declaration of Morgan	103. Irrelevant (FRE	Sustained
25	E. Pietz, pg. 13-14 ¶ 29, as	§§401, 402); Lacks	Overruled
26	follows: Exhibit J - (i) a letter	Foundation and/or	
27	Mr. Cooper's attorney filed on	Personal Knowledge (FRE	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	his behalf in two AF Holdings	§602); Hearsay (FRE	
4	cases pending in Minnesota, a	§§801(c), 802);	
5	true and correct copy of which	Speculation (FRE §602);	
6	is attached hereto as Exhibit J :	Argumentative; Assumes	
7		Facts Not In Evidence;	
8		Improper Characterization	
9		of Evidence; Improper	
10		Authentication of	
11		Document (FRE §901).	
12	104. Declaration of Morgan	104. Irrelevant (FRE	Sustained
13	E. Pietz, pg. 13-14 ¶ 29, as	§§401, 402); Lacks	Overruled
14	follows: Exhibit K - (ii) a	Foundation and/or	
15	sworn affidavit executed by	Personal Knowledge (FRE	
16	Mr. Cooper himself, a true and	§602); Hearsay (FRE	
17	correct copy of which is	§§801(c), 802);	
18	attached hereto as Exhibit K.	Speculation (FRE §602);	
19		Argumentative; Assumes	
20		Facts Not In Evidence;	
21		Improper Characterization	
22		of Evidence; Improper	
23		Authentication of	
24		Document (FRE §901).	
25	105. Declaration of Morgan	105. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 14 ¶ 30, as	§§401, 402); Lacks	Overruled
27	follows: Specifically, I am	Foundation and/or	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	informed and believe that there	Personal Knowledge (FRE	
4	is a gentleman from Minnesota	§602); Hearsay (FRE	
5	named Alan Cooper who	§§801(c), 802);	
6	formerly worked as a caretaker	Speculation (FRE §602);	
7	on a property owned by John	Argumentative; Assumes	
8	Steele. Exhibit J; Exhibit K	Facts Not In Evidence;	
9	¶4.	Improper Characterization	
10		of Evidence; Improper	
11		Authentication of	
12		Document (FRE §901).	
13	106. Declaration of Morgan	106. Irrelevant (FRE	Sustained
14	E. Pietz, pg. 14 ¶ 31, as	§§401, 402); Lacks	Overruled
15	follows: I am informed and	Foundation and/or	
16	believe that Mr. Steele bragged	Personal Knowledge (FRE	
17	to his caretaker Alan Cooper	§602); Hearsay (FRE	
18	about a copyright scheme	§§801(c), 802);	
19	Exhibit J, p 1., and, according	Speculation (FRE §602);	
20	to Mr. Cooper "Steele had told	Argumentative; Assumes	
21	me on at least one occasion	Facts Not In Evidence;	
22	that if anyone asked about	Improper Characterization	
23	companies that I should call	of Evidence.	
24	him." Appendix 2, ¶8.		
25	107. Declaration of Morgan	107. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 14 ¶ 32, as	§§401, 402); Lacks	Overruled
27	follows: I am informed and	Foundation and/or	
28	<u> </u>		1

	#.1255		
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	believe that after this	Personal Knowledge (FRE	
4	Minnesota Mr. Cooper became	§602); Hearsay (FRE	
5	suspicious, and searched	§§801(c), 802);	
6	online, he found out that	Speculation (FRE §602);	
7	Prenda Law had been using the	Argumentative; Assumes	
8	name "Alan Cooper" as the	Facts Not In Evidence;	
9	supposed principal of AF	Improper Characterization	
10	Holdings and Ingenuity 13, in	of Evidence.	
11	various federal court filings,		
12	including copyright assignment		
13	forms, and verifications filed		
14	on behalf of Ingenuity 13, all		
15	of which were purportedly		
16	executed by "Alan Cooper" on		
17	behalf of these entities. Exhibit		
18	\underline{J} . (Exhibit E thereto, page 8 of		
19	8).		
20	108. Declaration of Morgan	108. Irrelevant (FRE	Sustained
21	E. Pietz, pg. 14 ¶ 33, as	§§401, 402); Lacks	Overruled
22	follows: I am informed and	Foundation and/or	
23	believe that, concerned about	Personal Knowledge (FRE	
24	his potential personal liability	§602); Hearsay (FRE	
25	in connection with the scores	§§801(c), 802);	
26	of Ingenuity 13 and AF	Speculation (FRE §602);	
27	Holdings copyright	Argumentative; Assumes	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	infringement lawsuits pending	Facts Not In Evidence;	
4	across the country, Mr. Cooper	Improper Characterization	
5	hired a lawyer named Paul	of Evidence.	
6	Godfread who asked Prenda		
7	Law to confirm that there was		
8	another Alan Cooper who is		
9	the true principal of AF		
10	Holdings and Ingenuity 13, and		
11	that the identity of Alan		
12	Cooper of Minnesota is not		
13	being misappropriated. Exhibit		
14	<u>J</u> .		
15	109. Declaration of Morgan	109. Irrelevant (FRE	Sustained
16	E. Pietz, pg. 14 ¶ 34, as	§§401, 402); Lacks	Overruled
17	follows: I am informed and	Foundation and/or	
18	believe that immediately after	Personal Knowledge (FRE	
19	Mr. Cooper's attorney filed a	§602); Hearsay (FRE	
20	notice of appearance on Mr.	§§801(c), 802);	
21	Cooper's behalf in an AF	Speculation (FRE §602);	
22	Holdings case pending in	Argumentative; Assumes	
23	Minnesota, John Steele	Facts Not In Evidence;	
24	attempted to call Mr. Cooper	Improper Characterization	
25	multiple times, despite the fact	of Evidence.	
26	that Mr. Cooper was		
27	represented by counsel. Exhibit		
20			

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			#:1255		
1	Material Object	eted to:	Grou	inds for Objection:	Ruling on
2					Objection:
3	<u>J</u> .				
4	110. Declaration o	f Morgan	110. I	rrelevant (FRE	Sustained
5	E. Pietz, pg. 15 ¶ 35	, as	§§401	, 402); Lacks	Overruled
6	follows: The signat	ure used by	Found	lation and/or	
7	Alan Cooper of Mir	nesota on	Person	nal Knowledge (FRE	
8	his lease agreement	with John	§602)	; Improper Opinion	
9	Steele appears to be	somewhat	(FRE	§701); Speculation	
10	similar to the "Alan	cooper"	(FRE	§602);	
11	signature used on va	arious	Argur	mentative; Assumes	
12	copyright assignmen	nts in	Facts	Not In Evidence;	
13	Prenda's AF Holdin	igs cases:	Impro	per Characterization	
14	Image of	Image of "A	4 <i>ldr</i> Evi	dence.	
15	Authenticated Signature of	Cooper" Signature U	Ised		
16	Minnesota Alan	on Copyrigi	ht		
17	Cooper from His Lease with John	Assignment Filed in CD	1		
18	Steele: ²	12-cv-S709			
19		(Low-numb Case): ³	er		
20		Cusey.		J	
21					
22			<u> </u>		
23					
24					
25					
26					

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	111. Declaration of Morgan	111. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 15 ¶ 35, as	§§401, 402); Lacks	Overruled
5	follows: Footnote 2 - The	Foundation and/or	
6	signature pictured here is from	Personal Knowledge (FRE	
7	the lease agreement between	§602); Hearsay (FRE	
8	Mr. Steele and Mr. Cooper that	§§801(c), 802);	
9	was attached to the affidavit of	Speculation (FRE §602);	
10	Alan Cooper, which is attached	Assumes Facts Not In	
11	hereto as <u>Exhibit K</u> .	Evidence; Improper	
12		Characterization of	
13		Evidence.	
14			
15			
16	112. Declaration of Morgan	112. Irrelevant (FRE	Sustained
17	E. Pietz, pg. 15 ¶ 35, as	§§401, 402); Lacks	Overruled
18	follows: Footnote 3 - This	Foundation and/or	
19	signature pictured here was	Personal Knowledge (FRE	
20	found on the last page of	§602); Hearsay (FRE	
21	Exhibit B to the complaint in	§§801(c), 802);	
22	AF Holdings, LLC v. John Doe	Speculation (FRE §602);	
23	et al., C.D. Cal. No. 12-cv-	Assumes Facts Not In	
24	5709, at ECF No. 1, p. 18.	Evidence; Improper	·
25		Characterization of	
26		Evidence.	
27			
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on	
2			Objection:	
3	113. Declaration of Morgan	113. Irrelevant (FRE	Sustained	
4	E. Pietz, pg. 15-16 ¶ 36, as	§§401, 402); Lacks	Overruled	
5	follows: I am informed and	Foundation and/or		
6	believe that another example of	Personal Knowledge (FRE		
7	this mysterious Alan Cooper	§602); Hearsay (FRE		
8	supposedly signing federal	§§801(c), 802);		
9	court documents, this time a	Speculation (FRE §602);		
10	verification to a Rule 27	Argumentative; Assumes		
11	petition filed under penalty of	Facts Not In Evidence;		
12	perjury, occurred in In the	Improper Characterization		
13	Matter of a Petition by	of Evidence.		
14	Ingenuity 13, LLC, E.D. Cal.			
15	Case No. 11-mc-0084-JAM-			
16	DAD, ECF No. 1, p. 8 of 8,			
17	10/28/11.			
18	114. Declaration of Morgan	114. Irrelevant (FRE	Sustained	
19	E. Pietz, pg. 15-16 ¶ 36, as	§§401, 402); Lacks	Overruled	
20	follows: Exhibit L - A true and	Foundation and/or		
21	correct copy of the petition Mr.	Personal Knowledge (FRE		
22	Gibbs filed on behalf of	§602); Hearsay (FRE		
23	Ingenuity 13 in this matter is	§§801(c), 802);		
24	attached hereto as Exhibit L .	Speculation (FRE §602);		
25		Assumes Facts Not In		
26		Evidence; Improper		
27		Characterization of		
28			. 1	

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Transcribe Conjection to		Objection:
3		Evidence; Improper	
4		Authentication of	
5		Document (FRE §901).	
6	115. Declaration of Morgan	115. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 15-16 ¶ 36, as	§§401, 402); Lacks	Overruled
8	follows: A look at the	Foundation and/or	
9	verification page reveals: (i)	Personal Knowledge (FRE	
10	the petition is verified with an	§602); Hearsay (FRE	
11	electronic "/s/" signature by	§§801(c), 802); Improper	
12	"Alan Cooper, Manager of	Opinion (FRE §701);	
13	Ingenuity 13 LLC"; (ii)	Speculation (FRE §602);	
14	although the heading of the	Argumentative; Assumes	
15	verification page says	Facts Not In Evidence;	
16	"Notarized Verification" there	Improper Characterization	
17	is no notary seal or other	of Evidence.	
18	notary information on the		
19	document; (iii) instead, Mr.		
20	Gibbs himself swears that "I,		
21	Brett L. Gibbs, Esq., hereby		
22	confirm per Eastern District of		
23	California Local Rule 131(f)		
24	that counsel for Plaintiff has a		
25	signed original notarized		
26	version of the above Verified		
27	Petition."		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	116. Declaration of Morgan	116. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 16 ¶ 37, as	§§401, 402); Lacks	Overruled
5	follows: Since at least	Foundation and/or	
6	November, Prenda has been	Personal Knowledge (FRE	
7	dodging all questions asked by	§602); Improper Opinion	
8	Minnesota Alan Cooper's	(FRE §701); Speculation	
9	attorney, and by me, about	(FRE §602);	
10	whether there is another person	Argumentative; Assumes	
11	with the name Alan Cooper	Facts Not In Evidence;	
12	who was the true principal of	Improper Characterization	
13	AF Holdings and Ingenuity 13.	of Evidence.	
14	117. Declaration of Morgan	117. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 16 ¶ 37, as	§§401, 402); Lacks	Overruled
16	follows: Prenda refuses to say.	Foundation and/or	
17		Personal Knowledge (FRE	
18		§602); Improper Opinion	
19		(FRE §701); Speculation	
20		(FRE §602);	
21		Argumentative; Assumes	
22		Facts Not In Evidence;	
23		Improper Characterization	
24		of Evidence.	
25	118. Declaration of Morgan	118. Irrelevant (FRE	Sustained
26	E. Pietz, pg. 16 ¶ 37, as	§§401, 402); Lacks	Overruled
27	follows: Exhibit M - A true	Foundation and/or	
28			1

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	and correct copy of and email	Personal Knowledge (FRE	
4	chain showing my attempts to	§602); Hearsay (FRE	
5	have Mr. Gibbs answer these	§§801(c), 802); Improper	
6	questions, and his evasive	Opinion (FRE §701);	
7	responses, is attached hereto as	Speculation (FRE §602);	
8	Exhibit M.	Argumentative; Assumes	
9		Facts Not In Evidence;	
10		Improper Characterization	
11		of Evidence; Improper	
12		Authentication of	
13		Document (FRE §901).	
14	119. Declaration of Morgan	119. Irrelevant (FRE	Sustained
15	E. Pietz, pg. 16 ¶ 38, as	§§401, 402); Lacks	Overruled
16	follows: Both Mr. Cooper's	Foundation and/or	
17	attorney and I have also asked	Personal Knowledge (FRE	
18	Mr. Gibbs to produce a copy of	§602); Hearsay (FRE	
19	the original notarized Alan	§§801(c), 802); Improper	
20	Cooper verification he was	Opinion (FRE §701);	
21	obligated to maintain in the	Speculation (FRE §602);	
22	Rule 27 petition filed on behalf	Argumentative; Assumes	
23	of Ingenutiy 13 in the Eastern	Facts Not In Evidence;	
24	District of California. Mr.	Improper Characterization	
25	Gibbs has refused to produce	of Evidence.	
26	the original Alan Copper		
27	signature. <i>See</i> Exhibit M.		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	120. Declaration of Morgan	120. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 16-17 ¶ 39, as	§§401, 402); Lacks	Overruled
5	follows: I am informed and	Foundation and/or	
6	believe that at almost the exact	Personal Knowledge (FRE	
7	same time the Alan Cooper	§602); Hearsay (FRE	
8	allegations were coming to	§§801(c), 802); Improper	
9	light, another incident occurred	Opinion (FRE §701);	
10	at a Florida hearing in a Prenda	Speculation (FRE §602);	
11	case, involving a separate fraud	Argumentative; Assumes	
12	on the court. In <i>Sunlust</i>	Facts Not In Evidence;	
13	Pictures, Inc. v. Tuan Nguyen,	Improper Characterization	
14	M.D. Fl. Case No. 8:12-CV-	of Evidence.	
15	1685-T-35MAP Judge Scriven		
16	ordered a principal of Prenda		
17	Law, Inc. to attend a hearing		
18	on a John Doe motion, and also		
19	ordered a principal of Sunlust		
20	Pictures, the plaintiff in that		
21	action, to attend the hearing as		
22	well.		
23	121. Declaration of Morgan	121. Irrelevant (FRE	Sustained
24	E. Pietz, pg. 16-17 ¶ 39, as	§§401, 402); Lacks	Overruled
25	follows: Exhibit N - A true	Foundation and/or	
26	and correct copy of the	Personal Knowledge (FRE	
27	complete hearing transcript is	§602); Hearsay (FRE	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	attached hereto as Exhibit N.	§§801(c), 802); Assumes	
4		Facts Not In Evidence;	
5		Improper Characterization	
6		of Evidence; Improper	
7		Authentication of	
8		Document (FRE §901).	
9	122. Declaration of Morgan	122. Irrelevant (FRE	Sustained
10	E. Pietz, pg. 16-17 ¶ 39, as	§§401, 402); Lacks	Overruled
11	follows: According to the	Foundation and/or	
12	transcript, Prenda's purported	Personal Knowledge (FRE	
13	"sole principal" Paul Duffy,	§602); Hearsay (FRE	
14	belatedly notified the Court	§§801(c), 802); Improper	
15	that he could not attend due to	Opinion (FRE §701);	
16	a health issue.	Speculation (FRE §602);	
17		Argumentative; Assumes	
18		Facts Not In Evidence;	
19		Improper Characterization	
20		of Evidence.	
21	123. Declaration of Morgan	123. Irrelevant (FRE	Sustained
22	E. Pietz, pg. 16-17 ¶ 39, as	§§401, 402); Lacks	Overruled
23	follows: After two prior local	Foundation and/or	
24	counsel sought to withdraw	Personal Knowledge (FRE	
25	from the matter, Prenda placed	§602); Hearsay (FRE	
26	an advertisement in a local	§§801(c), 802); Improper	
27	newspaper and obtained a new,	Opinion (FRE §701);	
28	L	L.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	third local counsel (hired by	Speculation (FRE §602);	
4	plaintiff's counsel here Brett	Argumentative; Assumes	
5	Gibbs) who, after filing a	Facts Not In Evidence;	
6	notice of appearance and	Improper Characterization	
7	conferring with defense	of Evidence.	
8	counsel, almost immediately		
9	sought to withdraw.		
10	124. Declaration of Morgan	124. Irrelevant (FRE	Sustained
11	E. Pietz, pg. 17 ¶ 40, as	§§401, 402); Lacks	Overruled
12	follows: I am informed and	Foundation and/or	
13	believe that Sunlust also did	Personal Knowledge (FRE	
14	not send a principal to the	§602); Hearsay (FRE	
15	Florida hearing; rather, it sent	§§801(c), 802); Improper	
16	John Steele's former paralegal,	Opinion (FRE §701);	
17	a man named Mark Lutz, as the	Speculation (FRE §602);	
18	plaintiffs "corporate	Argumentative; Assumes	
19	representative" for hire.	Facts Not In Evidence;	
20		Improper Characterization	
21		of Evidence.	
22	125. Declaration of Morgan	125. Irrelevant (FRE	Sustained
23	E. Pietz, pg. 17 ¶ 40, as	§§401, 402); Lacks	Overruled
24	follows: However, upon	Foundation and/or	
25	questioning Mr. Lutz, Judge	Personal Knowledge (FRE	
26	Scriven quickly determined	§602); Hearsay (FRE	
27	that Mr. Lutz had no authority	§§801(c), 802); Improper	
20			

	".1201			
1	Material Objected to:	Grounds for Objection:	Ruling on	
2			Objection:	
3	to bind the company, and that	Opinion (FRE §701);		
4	he did not know who owned or	Speculation (FRE §602);		
5	managed it.	Argumentative; Assumes		
6		Facts Not In Evidence;		
7		Improper Characterization		
8		of Evidence.		
9	126. Declaration of Morgan	126. Irrelevant (FRE	Sustained	
10	E. Pietz, pg. 17 ¶ 40, as	§§401, 402); Lacks	Overruled	
11	follows: Accordingly, despite	Foundation and/or		
12	a Court order requiring them to	Personal Knowledge (FRE		
13	do so, neither Prenda Law nor	§602); Hearsay (FRE		
14	its client Sunlust Pictures sent	§§801(c), 802); Improper		
15	a principal to the hearing.	Opinion (FRE §701);		
16		Speculation (FRE §602);		
17		Argumentative; Assumes		
18		Facts Not In Evidence;		
19		Improper Characterization		
20		of Evidence.		
21	127. Declaration of Morgan	127. Irrelevant (FRE	Sustained	
22	E. Pietz, pg. 17 ¶ 40, as	§§401, 402); Lacks	Overruled	
23	follows: Note in particular	Foundation and/or		
24	page 20 of the transcript where	Personal Knowledge (FRE		
25	Judge Scriven orders the	§602); Hearsay (FRE		
26	purported "corporate	§§801(c), 802); Improper		
27	representative" for the plaintiff,	Opinion (FRE §701);		
28	L	1	<u> </u>	

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Mark Lutz (i.e., John Steele's	Speculation (FRE §602);	
4	former paralegal), away from	Argumentative; Assumes	
5	the plaintiffs table and	Facts Not In Evidence;	
6	dismisses the case for "failure	Improper Characterization	
7	to present a lawful agent, for	of Evidence.	
8	attempted fraud on the Court		
9	by offering up a person who		
10	has no authority to act on		
11	behalf of the corporation as its		
12	corporate representative" and		
13	invites a motion for sanctions.		
14	Exhibit N.		
15	128. Declaration of Morgan	128. Irrelevant (FRE	Sustained
16	E. Pietz, pg. 17 ¶ 40, as	§§401, 402); Lacks	Overruled
17	follows: Footnote 4 -	Foundation and/or	
18	Although one person closely	Personal Knowledge (FRE	
19	connected with Prenda did	§602); Hearsay (FRE	
20	attend the hearing: John Steele	§§801(c), 802); Improper	
21	sat in the gallery, and	Opinion (FRE §701);	
22	purported not to be involved in	Speculation (FRE §602);	
23	the case, but after the Court	Argumentative; Assumes	
24	noticed Mr. Lutz constantly	Facts Not In Evidence;	
25	trying to confer with Mr.	Improper Characterization	
26	Steele, the Judge asked Mr.	of Evidence.	
27	Steele who he was, and then		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	asked him for answers to some		
4	of her questions about Sunlust		
5	Pictures, which Mr. Steele		
6	provided. Exhibit N. p. 18:12-		
7	24.		
8	129. Declaration of Morgan	129. Irrelevant (FRE	Sustained
9	E. Pietz, pg. 17-18 ¶ 41, as	§§401, 402); Lacks	Overruled
10	follows: The combination of:	Foundation and/or	
11	(i) the facts averred by Mr.	Personal Knowledge (FRE	
12	Cooper of Minnesota (Exhibits	§602); Hearsay (FRE	
13	J and K): (ii) Prenda's almost	§§801(c), 802); Improper	
14	comical attempts to stonewall	Opinion (FRE §701);	
15	on the question of whether	Speculation (FRE §602);	
16	there was another Alan Cooper	Argumentative; Assumes	
17	who was the true principal of	Facts Not In Evidence;	
18	AF Holdings and Ingenuity 13,	Improper Characterization	
19	or answer any other questions	of Evidence.	
20	on these matters (Exhibit M);		
21	(iii) Mr. Gibb's refusal or		
22	inability to produce the original		
23	Alan Cooper verification page		
24	from the Eastern District of		
25	California Rule 27 petition (<i>Id.</i> ;		
26	Exhibit L); and (iv) the facts		
27	revealed in the Florida hearing		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	transcript in Prenda's Sunlust		
4	case (Exhibit N), made me		
5	extremely suspicious.		
6	130. Declaration of Morgan	130. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 17-18 ¶ 41, as	§§401, 402); Lacks	Overruled
8	follows: Taken together, these	Foundation and/or	
9	facts suggest a pattern of	Personal Knowledge (FRE	
10	deception with respect to who	§602); Improper Opinion	
11	is really behind these lawsuits.	(FRE §701); Speculation	
12		(FRE §602);	
13		Argumentative; Assumes	
14		Facts Not In Evidence;	
15		Improper Characterization	
16		of Evidence.	
17	131. Declaration of Morgan	131. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 17-18 ¶ 41, as	§§401, 402); Lacks	Overruled
19	follows: Specifically, it	Foundation and/or	
20	appears that there is a pattern	Personal Knowledge (FRE	
21	where, when pressed, Prenda	§602); Improper Opinion	
22	has fraudulently held out	(FRE §701); Speculation	
23	close/former associates of John	(FRE §602);	
24	Steele as purported	Argumentative; Assumes	
25	representative for the purported	Facts Not In Evidence;	
26	client in these cases.	Improper Characterization	
27		of Evidence.	
28			-1

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	132. Declaration of Morgan	132. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 18 ¶ 42, as	§§401, 402); Improper	Overruled
5	follows: Based on these	Characterization of	
6	suspicions, I sought leave of	Evidence.	
7	court to conduct limited early		
8	discovery into these issues, on		
9	behalf of my putative John Doe		
10	clients being threatened by		
11	Prenda.		
12	133. Declaration of Morgan	133. Irrelevant (FRE	Sustained
13	E. Pietz, pg. 18 ¶ 42, as	§§401, 402); Improper	Overruled
14	follows: On December 26,	Characterization of	
15	2012, Judge Wright of the	Evidence.	
16	Central District granted my		
17	application for leave to take		
18	early discovery on the Alan		
19	Cooper questions (Ingenuity		
20	13, LLC v. John Doe, CD. Cal.		
21	No. 12-cv-8333-ODW, ECF		
22	No. 32), and on January 4,		
23	2013, I duly propounded		
24	special interrogatories and		
25	requests to produce documents		
26	seeking answers about Alan		
27	Cooper.		
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	134. Declaration of Morgan	134. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 18 ¶ 42, as	§§401, 402); Improper	Overruled
5	follows: As of today, Prenda	Characterization of	
6	has not yet responded.	Evidence.	
7	135. Declaration of Morgan	135. Irrelevant (FRE	Sustained
8	E. Pietz, pg. 18 ¶ 43, as	§§401, 402); Lacks	Overruled
9	follows: Like a snake shedding	Foundation and/or	
10	its skin, and for reasons that are	Personal Knowledge (FRE	
11	not hard to imagine given the	§602); Hearsay (FRE	
12	Florida hearing transcript	§§801(c), 802); Improper	
13	(Exhibit N), among other	Opinion (FRE §701);	
14	reasons, it appears that Prenda	Speculation (FRE §602);	
15	has recently decided to try and	Argumentative; Assumes	
16	rebrand itself (again) and is	Facts Not In Evidence;	
17	now moving away from the	Improper Characterization	
18	name Prenda Law, Inc.	of Evidence.	
19	136. Declaration of Morgan	136. Irrelevant (FRE	Sustained
20	E. Pietz, pg. 18 ¶ 43, as	§§401, 402); Lacks	Overruled
21	follows: Thus, I am informed	Foundation and/or	
22	and believe that starting around	Personal Knowledge (FRE	
23	the first of 2013, letters issuing	§602); Hearsay (FRE	
24	from Prenda's offices in	§§801(c), 802); Improper	
25	Chicago have issued under the	Opinion (FRE §701);	
26	letterhead of the "Anti-Piracy	Speculation (FRE §602);	
27	Law Group" rather than Prenda	Argumentative; Assumes	
28	L		

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	Law.	Facts Not In Evidence;	
4		Improper Characterization	
5		of Evidence.	
6	137. Declaration of Morgan	137. Irrelevant (FRE	Sustained
7	E. Pietz, pg. 18 ¶ 44, as	§§401, 402); Lacks	Overruled
8	follows: Further, as of January	Foundation and/or	
9	9, 2013, the Prenda law, Inc.	Personal Knowledge (FRE	
10	entity registered in Illinois is	§602); Hearsay (FRE	
11	listed as "not in good standing"	§§801(c), 802); Improper	
12	with the Illinois Secretary of	Opinion (FRE §701);	
13	State. Exhibit B.	Speculation (FRE §602);	
14		Argumentative; Assumes	
15		Facts Not In Evidence;	
16		Improper Characterization	
17		of Evidence.	
18	138. Declaration of Morgan	138. Irrelevant (FRE	Sustained
19	E. Pietz, pg. 18 ¶ 45, as	§§401, 402); Lacks	Overruled
20	follows: However, there <i>is</i> an	Foundation and/or	
21	active listing in Illinois for an	Personal Knowledge (FRE	
22	"Anti-Piracy Law Group	§602); Hearsay (FRE	
23	LLC," formed on November 8,	§§801(c), 802);	
24	2012.	Speculation (FRE §602);	
25		Argumentative; Assumes	
26		Facts Not In Evidence;	
27		Improper Characterization	
28			

Material Objected to:	Grounds for Objection:	Ruling on Objection:
	of Evidence.	
139. Declaration of Morgan	139. Irrelevant (FRE	Sustained
E. Pietz, pg. 18 ¶ 45, as	§§401, 402); Lacks	Overruled
follows: Exhibit O - A true	Foundation and/or	
and correct copy of the Illinois	Personal Knowledge (FRE	
Secretary of State business	§602); Hearsay (FRE	
entity listing for the Anti-	§§801(c), 802);	
Piracy Law Group LLC, as of	Speculation (FRE §602);	
January 14, 2013, is attached	Argumentative; Assumes	
hereto as Exhibit O.	Facts Not In Evidence;	
	Improper Characterization	
	of Evidence; Improper	
	Authentication of	
	Document (FRE §901).	
140. Declaration of Morgan	140. Irrelevant (FRE	Sustained
E. Pietz, pg. 18 ¶ 46, as	§§401, 402); Lacks	Overruled
follows: The Illinois business	Foundation and/or	
entity details for both Prenda	Personal Knowledge (FRE	
Law, Inc. and the Anti-Piracy	§602); Hearsay (FRE	
Law Group, LLC list the same	§§801(c), 802);	
Chicago address for the agent	Speculation (FRE §602);	
for service, of 161 North Clark	Argumentative; Assumes	
Street, Suite 3200, Chicago,	Facts Not In Evidence;	
Illinois 60601.	Improper Characterization	
	of Evidence.	

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection:
3	141. Declaration of Morgan	141. Irrelevant (FRE	Sustained
4	E. Pietz, pg. 18-19 ¶ 47, as	§§401, 402); Lacks	Overruled
5	follows: According to the	Foundation and/or	
6	footer at the bottom of the	Personal Knowledge (FRE	
7	January 14, 2013 version of the	§602); Hearsay (FRE	
8	wefightpiracy.com website, the	§§801(c), 802);	
9	content on the site "was	Speculation (FRE §602);	
10	prepared by Prenda Law Inc.	Argumentative; Assumes	
11	(an Illinois law firm organized	Facts Not In Evidence;	
12	as a limited liability company	Improper Characterization	
13	with its principal office at 161	of Evidence.	
14	North Clark Street, Suite 3200,		
15	Chicago, Illinois 60601, Ph. 1-		
16	800-380-0840)." <u>Exhibit A</u> .		
17	142. Declaration of Morgan	142. Irrelevant (FRE	Sustained
18	E. Pietz, pg. 19 ¶ 48, as	§§401, 402); Lacks	Overruled
19	follows: I am informed and	Foundation and/or	
20	believe that the Anti-Piracy	Personal Knowledge (FRE	
21	Law Group, LLC is nothing	§602); Hearsay (FRE	
22	more than a continuation of	§§801(c), 802); Improper	
23	Prenda Law, Inc., which itself	Opinion (FRE §701);	
24	is nothing more than a	Speculation (FRE §602);	
25	continuation of Steele	Argumentative; Assumes	
26	Hansemeier, PLLC.	Facts Not In Evidence;	
27		Improper Characterization	
28			L

Material Objected to:	Grounds for Objection:	Ruling on Objection:
	of Evidence.	
OBJECTIONS TO SUPPLI	EMENTAL DECLARATION PIETZ	N OF MORGAN
Material Objected to:	Grounds for Objection:	Ruling on
		Objection
l. Declaration of Morgan	1. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
However, Prenda constructs	and/or Personal Knowledge	
s lawsuits so as to make it	(FRE §602); Improper	
unclear what exactly is the	Opinion (FRE §701);	
status of my clients.	Speculation (FRE §602);	
	Argumentative; Assumes	
	Facts Not In Evidence;	
	Improper Characterization	
	of Evidence.	
2. Declaration of Morgan	2. Irrelevant (FRE §§401,	Sustained
E. Pietz, pg. $2 $ ¶ 4, as follows:	402); Lacks Foundation	Overruled
The complaint does not	and/or Personal Knowledge	
exactly come out and say that	(FRE §602); Improper	
the ISP subscriber equals the	Opinion (FRE §701);	
John Doe defendant.	Speculation (FRE §602);	
	Argumentative; Assumes	
	Facts Not In Evidence;	
	Improper Characterization	

	#.1274		
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3		of Evidence.	
4	3. Declaration of Morgan	3. Irrelevant (FRE §§401,	Sustained
5	E. Pietz, pg. 2 ¶ 4, as follows:	402); Lacks Foundation	Overruled
6	However, the requests for	and/or Personal Knowledge	
7	early discovery, seeking	(FRE §602); Improper	
8	leave to issue ISP subpoenas,	Opinion (FRE §701);	
9	generally tend to conflate ISP	Speculation (FRE §602);	
10	subscriber with Doe	Argumentative; Assumes	
11	defendant.	Facts Not In Evidence;	
12		Improper Characterization	
13		of Evidence.	
14	4. Declaration of Morgan	4. Irrelevant (FRE §§401,	Sustained
15	E. Pietz, pg. 3 ¶ 7, as follows:	402); Hearsay (FRE	Overruled
16	Exhibit P - Attached as	§§801(c), 802); Speculation	
17	Exhibit P hereto is a true and	(FRE §602); Argumentative;	
18	correct copy of an email	Assumes Facts Not In	
19	chain I received wherein Mr.	Evidence; Improper	
20	Gibbs noticed me that Mr.	Characterization of	
21	Duffy would be substituting	Evidence; Improper	
22	in to this case as counsel of	Authentication of Document	
23	record, and an email where	(FRE §901).	
24	Mr. Duffy attempted to meet		
25	and confer with on 12-cv-		
26	8333.		
27	5. Declaration of Morgan	5. Irrelevant (FRE §§401,	Sustained
28			

		11.1213	
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3	E. Pietz, pg. 3 ¶ 8, as follows:	402); Lacks Foundation	Overruled
4	Exhibit Q - Attached as	and/or Personal Knowledge	
5	Exhibit Q hereto is a true and	(FRE §602); Hearsay (FRE	
6	correct copy of Cooper's	§§801(c), 802); Speculation	
7	complaint for identify theft,	(FRE §602); Argumentative;	
8	etc.	Assumes Facts Not In	
9		Evidence; Improper	
10		Characterization of	
11		Evidence; Improper	
12		Authentication of Document	
13		(FRE §901).	
14	6. Declaration of Morgan	6. Irrelevant (FRE §§401,	Sustained
15	E. Pietz, pg. 3 ¶ 9, as follows:	402); Lacks Foundation	Overruled
16	Exhibit R - Attached as	and/or Personal Knowledge	
17	Exhibit R hereto is a true and	(FRE §602); Hearsay (FRE	
18	correct copy of documents	§§801(c), 802); Speculation	
19	identifying "Salt March" as	(FRE §602); Argumentative;	
20	the "owner" of AF Holdings.	Assumes Facts Not In	
21		Evidence; Improper	
22		Characterization of	
23		Evidence; Improper	
24		Authentication of Document	
25		(FRE §901).	
26	7. Declaration of Morgan	7. Irrelevant (FRE §§401,	Sustained
27	E. Pietz, pg. 3 ¶ 10, as	402); Lacks Foundation	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2	Natorial Objected to		Objection
3	follows: Exhibit S - Attached	and/or Personal Knowledge	
4	as Exhibit S hereto is a true	(FRE §602); Hearsay (FRE	
5	and correct copy of a	§§801(c), 802); Speculation	
6	declaration attorney Nicholas	(FRE §602); Argumentative;	
7	Ranallo prepared regarding	Assumes Facts Not In	
8	Anthony Saltmarsh.	Evidence; Improper	
9		Characterization of	
10		Evidence; Improper	
11		Authentication of Document	
12		(FRE §901).	
13	8. Declaration of Morgan	8. Irrelevant (FRE §§401,	Sustained
14	E. Pietz, pg. 3 ¶ 11, as	402); Lacks Foundation	Overruled
15	follows: Exhibit T -	and/or Personal Knowledge	
16	Attached as Exhibit T hereto	(FRE §602); Hearsay (FRE	
17	is a true and correct copy of a	§§801(c), 802); Speculation	
18	website registration	(FRE §602); Argumentative;	
19	document showing "Alan	Assumes Facts Not In	
20	Cooper" at an address in	Evidence; Improper	
21	Phoenix linked to, John	Characterization of	
22	Steele, his sister and Anthony	Evidence; Improper	
23	Slatmarsh.	Authentication of Document	
24		(FRE §901).	
25	9. Declaration of Morgan	9. Irrelevant (FRE §§401,	Sustained
26	E. Pietz, pg. 3 ¶ 12, as	402); Lacks Foundation	Overruled
27	follows: Exhibit U -	and/or Personal Knowledge	
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3	Attached as Exhibit U hereto	(FRE §602); Hearsay (FRE	
4	is a true and correct copy of	§§801(c), 802);	
5	the petition in the St. Clair	Argumentative; Assumes	
6	County Guava, LLC case,	Facts Not In Evidence;	
7	which appears to be verified	Improper Characterization	
8	by "Alan Moay" or "Alan	of Evidence; Improper	
9	Mony".	Authentication of Document	
10		(FRE §901).	
11	10. Declaration of Morgan	10. Irrelevant (FRE §§401,	Sustained
12	E. Pietz, pg. 3 ¶ 13, as	402); Lacks Foundation	Overruled
13	follows: Exhibit V -	and/or Personal Knowledge	
14	Attached as Exhibit V hereto	(FRE §602); Hearsay (FRE	
15	is a true and correct copy of	§§801(c), 802); Speculation	
16	my reply in the St. Clair	(FRE §602); Argumentative;	
17	County Guava, LLC case.	Assumes Facts Not In	
18		Evidence; Improper	
19		Characterization of	
20		Evidence; Improper	
21		Authentication of Document	
22		(FRE §901).	
23	11. Declaration of Morgan	11. Irrelevant (FRE §§401,	Sustained
24	E. Pietz, pg. 3 ¶ 14, as	402); Lacks Foundation	Overruled
25	follows: Exhibit W -	and/or Personal Knowledge	
26	Attached as Exhibit W hereto	(FRE §602); Hearsay (FRE	
27	is a true and correct copy of	§§801(c), 802); Speculation	
28		1	

		11.1270	
1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3	the declaration about the	(FRE §602); Argumentative;	
4	collusion in a Minnesota	Assumes Facts Not In	
5	Guava LLC case.	Evidence; Improper	
6		Characterization of	
7		Evidence; Improper	
8		Authentication of Document	
9		(FRE §901).	
10	12. Declaration of Morgan	12. Irrelevant (FRE §§401,	Sustained
11	E. Pietz, pg. 3 ¶ 15, as	402); Hearsay (FRE	Overruled
12	follows: Johns Steele told	§§801(c), 802); Improper	
13	me, in front of other, on	Characterization of	
14	February 13, 2013 in St. Clair	Evidence.	
15	County that he is currently of		
16	counsel to Prenda Law.		
17	13. Declaration of Morgan	13. Irrelevant (FRE §§401,	Sustained
18	E. Pietz, pg. 3 ¶ 16, as	402); Lacks Foundation	Overruled
19	follows: Exhibit X -	and/or Personal Knowledge	
20	Attached as Exhibit X hereto	(FRE §602); Hearsay (FRE	
21	is a true and correct copy of a	§§801(c), 802); Speculation	
22	demand letter, dated January	(FRE §602); Argumentative;	
23	30, 2013, from the St. Clair	Assumes Facts Not In	
24	County case listing Mr.	Evidence; Improper	
25	Gibbs as in house counsel for	Characterization of	
26	Guava, LLC.	Evidence; Improper	
27		Authentication of Document	
28	L		

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3		(FRE §901).	
4	14. Declaration of Morgan	14. Irrelevant (FRE §§401,	Sustained
5	E. Pietz, pg. 3 ¶ 17, as	402); Lacks Foundation	Overruled
6	follows: Exhibit Y -	and/or Personal Knowledge	
7	Attached as Exhibit Y hereto	(FRE §602); Hearsay (FRE	
8	is a true and correct copy of a	§§801(c), 802);	
9	letter Mr. Duffy sent to Judge	Argumentative; Assumes	
10	Scriven in Florida wherein he	Facts Not In Evidence;	
11	represents that he is the sole	Improper Characterization	
12	principal of Prenda Law.	of Evidence; Improper	
13		Authentication of Document	
14		(FRE §901).	
15	15. Declaration of Morgan	15. Irrelevant (FRE §§401,	Sustained
16	E. Pietz, pg. 4 ¶ 18, as	402); Lacks Foundation	Overruled
17	follows: Exhibit Z -	and/or Personal Knowledge	
18	Attached as Exhibit Z hereto	(FRE §602); Hearsay (FRE	
19	is a true and correct copy of	§§801(c), 802); Speculation	
20	Mr. Duffy's bio from the	(FRE §602); Argumentative;	
21	wefightpiracy.com website,	Assumes Facts Not In	
22	accessed February 20, 2013.	Evidence; Improper	
23		Characterization of	
24		Evidence; Improper	
25		Authentication of Document	
26		(FRE §901).	
27	16. Declaration of Morgan	16. Irrelevant (FRE §§401,	Sustained
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on
2			Objection
3	E. Pietz, pg. 3 ¶ 19, as	402); Lacks Foundation	Overruled
4	follows: Exhibit AA -	and/or Personal Knowledge	
5	Attached as Exhibit AA	(FRE §602); Hearsay (FRE	
6	hereto is a true and correct	§§801(c), 802); Speculation	
7	copy of John L. Steele's	(FRE §602); Argumentative;	
8	LinkedIn profile where he	Assumes Facts Not In	
9	states that he "sold [his]	Evidence; Improper	
10	client book to Prenda Law in	Characterization of	
11	2011."	Evidence; Improper	
12		Authentication of Document	
13		(FRE §901).	
14	17. Declaration of Morgan	17. Irrelevant (FRE §§401,	Sustained
15	E. Pietz, pg. 4 ¶ 20, as	402); Lacks Foundation	Overruled
16	follows: Exhibit BB -	and/or Personal Knowledge	
17	Attached as Exhibit BB	(FRE §602); Hearsay (FRE	
18	hereto is a true and correct	§§801(c), 802); Speculation	
19	copy of a complaint listing	(FRE §602); Argumentative;	
20	wherein Paul Hansemeier's	Assumes Facts Not In	
21	firm Alpha Law Firm, LLC	Evidence; Improper	
22	represents Guava, LLC in	Characterization of	
23	Minnesota.	Evidence; Improper	
24		Authentication of Document	
25		(FRE §901).	
26	18. Declaration of Morgan	18. Irrelevant (FRE §§401,	Sustained
27	E. Pietz, pg. 4 ¶ 21, as	402); Lacks Foundation	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on
2			<u>Objection</u>
3	follows: Exhibit CC -	and/or Personal Knowledge	
4	Attached as Exhibit CC	(FRE §602); Hearsay (FRE	
5	hereto is a true and correct	§§801(c), 802); Speculation	
6	copy of the LinkedIn profile	(FRE §602); Argumentative;	
7	for Michael Dugas listing	Assumes Facts Not In	
8	Prenda Law.	Evidence; Improper	
9		Characterization of	
10		Evidence; Improper	
11		Authentication of Document	
12		(FRE §901).	
13	19. Declaration of Morgan	19. Irrelevant (FRE §§401,	Sustained
14	E. Pietz, pg. 4 ¶ 22, as	402); Argumentative;	Overruled
15	follows: Exhibit DD -	Improper Characterization	
16	Attached as Exhibit DD	of Evidence; Improper	
17	hereto is a true and correct	Authentication of Document	
18	copy of an unpublished Ninth	(FRE §901).	
19	Circuit sanctions opinion.		
	<u> </u>	<u> </u>	

OBJECTIONS TO DECLARATION OF BART HUFFMAN

Material Objected to:	Grounds for Objection:	Ruling on Objection
1. Declaration of Bart	1. Irrelevant (FRE §§401,	Sustained
Huffman, pg. 1-2 ¶ 3, as	402); Lacks Foundation	Overruled
follows: The subpoena to	and/or Personal Knowledge	
AT&T: (i) is signed by Paul	(FRE §602); Hearsay (FRE	
Duffy of Prenda Law, Inc.;	§§801(c), 802); Speculation	

	#.1202		
1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	(ii) specifies that production	(FRE §602); Argumentative;	
3	should be made at the	Assumes Facts Not In	
4	offices of Prenda Law, Inc.,	Evidence; Improper	
5	161 N. Clark Street, Suite	Characterization of	
6	3200, Chicago IL 60601;	Evidence.	
7	(iii) is issued from the U.S.		
8	District Court for the		
9	Northern District of Illinois;		
10	and (iv) was served under		
11	cover of a letter from the		
12	"Prenda Law Inc. Subpoena		
13	Team.		
14			
15	2. Declaration of Bart	2. Irrelevant (FRE §§401,	Sustained
16	Huffman, pg. 2 ¶ 4, as	402); Lacks Foundation	Overruled
17	follows: There is no	and/or Personal Knowledge	
18	apparent reason for the	(FRE §602); Improper	
19	issuance of the Subpoena to	Opinion (FRE §701);	
20	At&T from the Northern	Speculation (FRE §602);	
21	District of Illinois other than	Argumentative; Assumes	
22	that Mr. Duffy specified	Facts Not In Evidence;	
23	Prenda Law's office address	Improper Characterization of	
24	in Chicago as the place of	Evidence.	
25	production.		
26	3. Declaration of Bart	3. Irrelevant (FRE §§401,	Sustained
27	Huffman, pg. 2 ¶ 4, as	402); Improper Opinion	Overruled
28			

1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	follows: This practice has	(FRE §701); Argumentative;	
3	been criticized by federal	Improper Characterization of	
4	courts.	Evidence.	
5	4. Declaration of Bart	4. Irrelevant (FRE §§401,	Sustained
6	Huffman, pg. 2 ¶ 5, as	402); Improper	Overruled
7	follows: According to court	Characterization of	
8	records available on	Evidence.	
9	PACER, the 5725 Lawsuit		
10	was transferred to Judge		
11	Otis Wright on or about		
12	October 5, 2012. The 5725		
13	Lawsuit was thereafter		
14	administered in connection		
15	with related case AF		,
16	Holdings LLC v. Doe, No.		
17	12-cv-5709 (C.D. Cal.).		
18	5. Declaration of Bart	5. Irrelevant (FRE §§401,	Sustained
19	Huffman, pg. 2 ¶ 6, as	402); Improper	Overruled
20	follows: On or about	Characterization of	
21	October 19, 2012 Judge	Evidence.	
22	Wright entered in the 5725		
23	Lawsuit an Order Vacating		
24	Prior Early Discovery		
25	Orders and Order to Show		
26	Cause. (5725 Lawsuit, ECF		
27	No. 9.)		
28			

	#.1204		
1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	6. Declaration of Bart	6. Irrelevant (FRE §§401,	Sustained
3	Huffman, pg. 2 ¶ 6, as	402); Improper	Overruled
4	follows: In that Order,	Characterization of	
5	Judge Wright ordered	Evidence.	
6	Plaintiff to "cease its		
7	discovery efforts relating to		
8	or based on information		
9	obtained through [Rule 45		
10	subpoenas allowed by a		
11	prior early discovery		
12	order]." (<i>Id</i> .)		
13	7. Declaration of Bart	7. Irrelevant (FRE §§401,	Sustained
14	Huffman, pg. 3 ¶ 7, as	402); Lacks Foundation	Overruled
15	follows: As reflected in the	and/or Personal Knowledge	
16	Kerr Declaration, on	(FRE §602); Hearsay (FRE	
17	November 1, 2012, Angela	§§801(c), 802); Improper	
18	Van Den Hemel of Prenda	Opinion (FRE §701);	
19	Law, Inc. sent an e-mail	Speculation (FRE §602);	
20	message to Camille D. Kerr	Argumentative; Assumes	
21	forwarding a copy of the	Facts Not In Evidence;	
22	Subpoena to AT&T (along	Improper Characterization of	
23	with proof of service) and	Evidence; Improper	
24	asking for an update on the	Authentication of Document	
25	5725 Lawsuit. (Kerr Decl. ¶	(FRE §901).	
26	2 and Ex. 1.)		
27	8. Declaration of Bart	8. Irrelevant (FRE §§401,	Sustained
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	Huffman, pg. 3 ¶ 7, as	402); Lacks Foundation	Overruled
3	follows: Ms. Van Den	and/or Personal Knowledge	
4	Hemel's e-mail message	(FRE §602); Hearsay (FRE	
5	also included a copy of the	§§801(c), 802); Improper	
6	same early discovery order	Opinion (FRE §701);	
7	that Judge Wright had	Speculation (FRE §602);	
8	vacated and expressly stated	Argumentative; Assumes	
9	should not be the basis of	Facts Not In Evidence;	
10	subsequent discovery	Improper Characterization of	
11	efforts.	Evidence.	
12	9. Declaration of Bart	9. Irrelevant (FRE §§401,	Sustained
13	Huffman, pg. 3 ¶ 7, as	402); Lacks Foundation	Overruled
14	follows: Ms. Van Den	and/or Personal Knowledge	
15	Hemel e-mail message could	(FRE §602); Hearsay (FRE	
16	only have been referring to	§§801(c), 802); Improper	
17	whether AT&T had or was	Opinion (FRE §701);	
18	going to produce	Speculation (FRE §602);	
19	information in response to	Argumentative; Assumes	
20	the Subpoena to AT&T,	Facts Not In Evidence;	
21	because AT&T had no other	Improper Characterization of	
22	involvement in the case.	Evidence.	
23	10. Declaration of Bart	10. Irrelevant (FRE §§401,	Sustained
24	Huffman, pg. 3 ¶ 9, as	402); Hearsay (FRE	Overruled
25	follows: On November 8,	§§801(c), 802); Improper	
26	2012, I sent an e-mail	Opinion (FRE §701);	
27	message to Ms. Van Den	Argumentative; Assumes	
28			

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1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	Hemel concerning the 5725	Facts Not In Evidence;	
3	Lawsuit, in which I stated,	Improper Characterization of	
4	"Upon review of the court	Evidence.	
5	files, it appears that any		
6	early discovery orders in this		
7	case (and a number of other		
8	AF Holdings cases) were		
9	vacated. Please let us know		
10	if you have information to		
11	the contrary."		
12	11. Declaration of Bart	11. Irrelevant (FRE §§401,	Sustained
13	Huffman, pg. 3 ¶ 9, as	402); Hearsay (FRE	Overruled
14	follows: Exhibit 4 - A true	§§801(c), 802); Improper	
15	and correct copy of that e-	Opinion (FRE §701);	
16	mail message is attached	Speculation (FRE §602);	
17	hereto as Exhibit 4.	Argumentative; Assumes	
18		Facts Not In Evidence;	
19		Improper Characterization of	
20		Evidence; Improper	
21		Authentication of Document	
22		(FRE §901).	
23	12. Declaration of Bart	12. Irrelevant (<i>FRE</i> §§402);	Sustained
24	Huffman, pg. 3 ¶ 9, as	Hearsay (FRE §§801(c),	Overruled
25	follows: I never received	802); Argumentative;	
26	any response to my e-mail	Improper Characterization of	
27	message, and I never	Evidence.	
28	Lance of the state		

1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	received any further		
3	information or		
4	communication from Prenda		
5	Law, Inc. concerning the		
6	Subpoena to AT&T or the		
7	5725 Lawsuit.		
8	13. Declaration of Bart	13. Irrelevant (<i>FRE</i> §§402);	Sustained
9	Huffman, pg. 3 ¶ 10, as	Hearsay (FRE §§801(c),	Overruled
10	follows: No attorney or	802); Argumentative;	
11	paralegal for Prenda Law,	Improper Characterization of	
12	Inc. has notified me of such	Evidence.	
13	dismissal; nor, to my		
14	knowledge, has any attorney		
15	or paralegal for Prenda Law,		
16	Inc. ever notified anyone		
17	else associated with AT&T		
18	or Locke Lord LLP of such		
19	dismissal.		

OBJECTIONS TO DECLARATION OF CAMILLE D. KERR

Material Objected to:	Grounds for Objection:	Ruling on Objection
1. Declaration of	1. Irrelevant (FRE §§401,	Sustained
Camille D. Kerr, pg. 1 ¶ 2,	402); Lacks Foundation	Overruled
as follows: On November 1,	and/or Personal Knowledge	
2012, I received an e-mail	(FRE §602); Hearsay (FRE	
message from Angela Van	§§801(c), 802); Speculation	

	11.1200		
1	Material Objected to:	Grounds for Objection:	Ruling on Objection
2	Den Hemel, whom I believe	(FRE §602); Assumes Facts	
3	to be a paralegal with	Not In Evidence; Improper	
4	Prenda Law Inc., wherein	Characterization of	
5	Ms. Van Den Hemel	Evidence.	
6	requested an update with		
7	respect to a subpoena to		
8	AT&T issued in AF		
9	Holdings LLC v. John Doe,		
10	No. 12-cv-05725 (C.D. Cal.)		
11	(the "Subpoena to AT&T"		
12	issued in the "5725		
13	Lawsuit").		
14	2. Declaration of	2. Irrelevant (FRE §§401,	Sustained
15	Camille D. Kerr, pg. 1 ¶ 2,	402); Lacks Foundation	Overruled
16	as follows: Ms. Van Den	and/or Personal Knowledge	
17	Hemel's e-mail message to	(FRE §602); Hearsay (FRE	
18	me attached a copy of the	§§801(c), 802); Improper	
19	corresponding subpoena	Characterization of	
20	package, consisting of a	Evidence.	
21	cover letter, the July 11,		
22	2012 Order Granting		
23	Plaintiff's Ex Parte		
24	Application for Leave to		
25	Take Expedited Discovery,		
26	and the Subpoena to AT&T		
27	with proof of service.		
28		<u></u>	

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1	Material Objected to:	Grounds for Objection:	Ruling on Objection	
2	3. Declaration of	3. Irrelevant (FRE §§401,	Sustained	
3	Camille D. Kerr, pg. 1 ¶ 2,	402); Hearsay (FRE	Overruled	
4	as follows: Exhibit 1 - A	§§801(c), 802); Improper		
5	true and correct copy of Ms.	Characterization of		
6	Van Den Hemel's e-mail	Evidence; Improper		
7	message to me (including its	Authentication of Document		
8	attachments) is attached	(FRE §901).		
9	hereto as Exhibit 1.			
10	4. Declaration of	4. Irrelevant (FRE §§401,	Sustained	
11	Camille D. Kerr, pg. 2 ¶ 3,	402); Hearsay (FRE	Overruled	
12	as follows: On November 6,	§§801(c), 802); Improper		
13	2012, Angela Van Den	Characterization of		
14	Hemel sent another e-mail	Evidence.		
15	message to me asking about			
16	the 5725 Lawsuit and the			
17	Subpoena to AT&T.			
18	5. Declaration of	5. Irrelevant (FRE §§401,	Sustained	
19	Camille D. Kerr, pg. 2 ¶ 3,	402); Hearsay (FRE	Overruled	
20	as follows: Exhibit 2 - A	§§801(c), 802); Improper		
21	true and correct copy of that	Characterization of		
22	e-mail message is attached	Evidence; Improper		
23	hereto as Exhibit 2.	Authentication of Document		
24		(FRE §901).		
25	6. Declaration of	6. Irrelevant (FRE §§401,	Sustained	
26	Camille D. Kerr, pg. 2 ¶ 4,	402); Hearsay (FRE	Overruled	
27	as follows: On November 8,	§§801(c), 802); Improper		
28				

	#.1290				
1	Material Objected to:	Grounds for Objection:	Ruling on Objection		
2	2012, I was copied on an e-	Characterization of			
3	mail message from Bart	Evidence; Improper			
4	Huffman to Ms. Van Den	Authentication of Document			
5	Hemel concerning the 5725	(FRE §901).			
6	Lawsuit, in which Mr.				
7	Huffman stated, "Upon				
8	review of the court files, it				
9	appears that any early				
10	discovery orders in this case				
11	(and a number of other AF				
12	Holdings cases) were				
13	vacated. Please let us now if				
14	you have information to the				
15	contrary."				
16	7. Declaration of	7. Irrelevant (<i>FRE</i> §§402);	Sustained		
17	Camille D. Kerr, pg. 2 ¶ 4,	Hearsay (FRE §§801(c),	Overruled		
18	as follows: I have not	802); Argumentative;			
19	thereafter received any	Improper Characterization of			
20	information or	Evidence.			
21	communication from Prenda				
22	Law, Inc. concerning the				
23	Subpoena to AT&T or the				
24	5725 Lawsuit.				
25					
26	DATED:	By:	1.4 H		
27		Honorable Otis D. Wright, II Judge of the United States District Court			
28		<u>U</u>			
	96				